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JOURNAL

OF THE

COMMON COUNCIL

OF THE

CITY OF PHILADELPHIA.

Monday, April 4, 1881.

The members of Common Council, whose terms of office had not expired, and the members elect, met this day at 10 o'clock A. M., in Common Council Chamber, agreeably to an Act of Assembly, approved March 10, 1875, entitled "An Act fixing and regulating the terms of all members of Councils, and all other city, ward, borough, and township officers, exceping school directors, elected by the people, and fixing the time of organization of the Legislative Departments of the Municipal Governments of the Commonwealth, and the inauguration of the Mayors of all the cities of the same," for the purpose of organization.

John Eckstein, Clerk, called Council to order. The roll of members holding over from last year was called, and the following gentlemen answered to their names:

Messrs. Allen, G. W.,	Messrs. Hetrick,
Bardsley,	Irvine,
Beaver,	Iseminger,
Bonham,	Jefferis,
Bonsall,	Jones,
Carpenter,	Lex,
Claghorn,	Lowenstein,
Clay,	Miller,
Cross,	Peterson,
Currie,	Reed,
Donaldson,	Ruhl,
Durham,	Shallcross,
Edwards,	Showaker,
Faunce,	Smith,
Gallagher,	Steen,
Greger,	Strickland,
Griffiths,	Tasker,
Grim,	Vanderslice,
Hall,	Weichselbaum,
Henry,	Young.

The members elect were requested to present their certificates of election, whereupon the following certificates were presented and read:

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 25, 1881.

Mr. Andrew J. Maloney.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the First Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. THEODORE D. SPEAR.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the First Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. JAMES MORAN.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Second Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. GEORGE H. MCCULLY.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Second Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. BERNARD J. CARLIN.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Third Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. W. H. H. DAVIS.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Third Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

MR. GEORGE H. HOFFMAN.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council of the Fourth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

MR. MOSES LEVI.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council of the Fourth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

MR. GEORGE T. CONRADE.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council of the Fifth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. THOMAS J. RYAN.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Sixth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 25, 1881.

Mr. Lewis W. Govett.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Seventh Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. S. S. Hollingsworth.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Seventh Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. Effingham B. Morris.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Eighth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 24, 1881.

MR. JOHN W. PATTON.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Tenth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. JOSEPH B. VAN DUSEN.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Tenth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. ALEXANDER REINSTINE.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twelfth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. Henry C. Dunlap.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Thirteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

Mr. William H. Millick.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Fourteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. William B. Bement.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Fifteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. S. C. Collins.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Fifteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 24, 1881.

Mr. George W. Conrad.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Sixteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 24, 1881.

Mr. William Dunlap.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Sixteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. William R. Gardy.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Eighteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

Mr. William A. Foster.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Nineteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

Mr. Henry Schneider.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council of the Nineteenth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. A. Atwood Grace.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twentieth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary,*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. Charles K. Merklee.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twentieth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. Charles K. Smith.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twentieth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. JOHN FLANAGAN.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-first Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. DAVID WALLACE.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-first Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 24, 1881.

MR. WALTER E. REX.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-second Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. CHARLES E. WEBSTER.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-third Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

MR. WILLIAM HOLEMAN.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-fifth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. CHARLES A. KAUFFMAN.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-fifth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

MR. MICHAEL O'ROURKE.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-fifth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

Mr. Reed

Presented the following protest:

Philadelphia, April 4, 1881.

To the President and Members
of Common Council.

GENTLEMEN:—Representing the citizens of the Twenty-fifth Ward, and being satisfied that Michael O'Rourke is not entitled to a seat in this Chamber; he not having resided in said ward the requisite time, all of which I am prepared to prove. And I do protest against his acting as a member, until a committee of this body has decided same by the evidence.

Respectfully submitted,

FRANKLIN REED.

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 24, 1881.

MR. JOHN SIMMONS.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-sixth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 24, 1881.

Mr. Samuel F. Stringfellow.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-sixth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. Samuel L. Craig.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-seventh Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia February 28, 1881.

Mr. William Ellwood Rowan.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-seventh Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. George W. Myers, Sr.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-eighth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. Charles K. Sorber.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-eighth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 26, 1881.

Mr. Stephen Herse.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-ninth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

Mr. Henry Neveling.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Twenty-ninth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

Mr. Adam A. Catanach.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Thirtieth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

Mr. James McCormick.

Sir:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Thirtieth Ward.

JAMES PENN MacCAIN,

[seal.] *Pro Prothonotary.*

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 28, 1881.

MR. ROBERT S. LEITHEAD.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Thirty-first Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

The roll of members was then called, and the following answered to their names:

Messrs. Allen, G. W.,
Bardsley,
Beaver,
Bement,
Bonham,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Faunce,
Flanagan,
Foster,
Gallagher,
Gardy,
Govett,
Grace,
Greger,
Griffiths,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,

Messrs. Jones,
Kauffman,
Leithead,
Levi,
Lex,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Moran,
Morris,
Myers,
Neveling,
O'Rourke,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Ryan,
Schneider,
Shallcross,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Strickland,
Stringfellow,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Weichselbaum,
Young.

The members who presented their certificates were then sworn or affirmed by Honorable Judge D. Newlin Fell.

The President

Presented the following certificate of election:

CITY AND COUNTY OF PHILADELPHIA.

Philadelphia, February 23, 1881.

Mr. JOHN SHEGOG.

SIR:—At an election held February 15, 1881, you were duly elected to the office of Common Council, of the Nineteenth Ward.

JAMES PENN MACCAIN,

[SEAL.] *Pro Prothonotary.*

John Shegog appeared before the Clerk's desk, and was qualified by Gen. Louis Wagner, Recorder of Deeds.

The Clerk

Announced that nominations were in order for President of Common Council for the ensuing term.

Mr. Clay

Nominated William H. Lex.

Mr. Iseminger

Moved that William H. Lex be elected by acclamation.

Which was unanimously agreed to.

And William H. Lex was declared unanimously elected President of Common Council for the ensuing term, and was conducted to the Chair by Mr. Moran, who administered the oath of office to him.

Mr. Lex,

Upon taking the Chair, made the following address:

GENTLEMEN OF COMMON COUNCIL:—I thank you for your kindness and confidence, and in assuming the duties of President I fully appreciate the heavy responsibility, and am sensible of the pressing demands of the public for an advance in the cause of good municipal government, and an administration of the affairs of the City on a strictly business basis. On my part, I will endeavor to be vigilant and impartial; and from you I ask forbearance and assistance in the preservation of good order during our proceedings. This is intensely important, in order that the various measures under deliberation may be fully discussed, and that each member may be kept thoroughly informed.

I desire to allude briefly to the subjects that will require our consideration during the coming session. The finances of the City have been constantly improving during the terms of office of my honored predecessor. After he was elected President, in 1877, the tax-rate was $2.25; for 1881 it is $1.95; then the expenses of the department were nearly $10,000,000, whereas in 1881 they will be about $6,300,000, and instead of a floating debt of about $9,000,000, which had been constantly increasing, we have not only been able during the past two years to live within our income, but were enabled, by the wise provisions of the Act of 1879, to have (as surplus revenue of 1880) in the treasury on January 1, 1881, $1,100,927. Out of this amount there has been paid to Struthers & Sons, upon a mandamus issued by them, $533,263.37, leaving a balance of $577,663.81.

As to this, two important questions arise:—First, have we the power to use or disburse it? In making our appropriations to the Sinking Fund, and to meet the yearly expenses of the City government, we derive our power from

the Act of June 11, 1879. Its chief end and aim, as expressed in its words and spirit, is to prevent the appropriations and expenditures from exceeding the sum yielded by the tax-rate and ouraverage income from other sources; but it does not seem to have contemplated any surplus revenue in the treasury, and upon the subject of such a balance remaining, the Act is silent. Being a statute that levies taxes, it must be construed strictly, and we have no right, therefore, to exercise powers which it does not expressly confer. I therefore advise that the Legislature be urged to grant further power in the shape of a supplement to this Act of Assembly.

And right here we meet the second question—*i. e.*, How, in that event, can we best dispose of this surplus revenue? The law provides for the requirements of the Sinking Fund, both for interest on and payments on account of the principal of the funded debt. That being so, we could use this surplus for any proper municipal improvement or the payment of any debt. But we have no right to permit the existence of any debt, and the use of the name of "municipal improvements" would probably be taken to cover a multitude of sins in the shape of questionable projects of various kinds. But if we retain it as so much cash on hand until the commencement of next year, it can then be used to benefit the tax-payer very largely and directly in the reduction of the tax-rate, and being so much better off, we can provide for the needed permanent improvements in our annual appropriation bills.

The Public Building Commission have accepted a reasonable appropriation for this year, and mandamuses upon the City Treasury have been thereby prevented. Let us endeavor to make a like satisfactory arrangement with them for next year.

Perhaps there is no question in which the public are more deeply concerned than that of an adequate water supply.

The discussion of intricate water systems may be very interesting to scientific men, but the people want water in their buildings, plenty of it, and always at command. During the past ten years the Water Department has spent in the shape of annual appropriations and money derived from loans, $8,950,710.09. Such a large amount of money, properly expended, should certainly have obviated the complaints which are so prevalent, and which we must recognize and remedy. The fact that this department returns a large revenue to the City Treasury is no excuse; for if the complaints are well founded, the people have been paying the City for something which they did not receive. Whether the remedy is to enlarge our pumping facilities, or to increase the number and extent of our water pipes, or to complete the East Park Reservoir by House of Correction labor, etc., is for us carefully to determine.

A consolidation of the Police, Fire, and Telegraph Departments has often been recommended, and should receive careful consideration.

The filthy condition of the streets of the City has lately been the subject of general complaint. While the power to regulate and correct this lies entirely with the Board of Health, yet our committees, in the matter of appropriations to them, and the supervision of their contracts, can suggest remedies and urge this department to make a sincere and honest endeavor to remedy the evil. If we fail in that, then, in my opinion, under the Act of May 19, 1874, we can reorganize them, or otherwise exercise the power therein conferred upon us. Permit, me further, to suggest to the Committee on Gas the propriety and duty of inquiring whether the Trustees of the Philadelphia Gas Works are not subject to the laws that control the various departments of the City in the advertising for proposals and the awarding of contracts. There are many other matters of importance that

will doubtless present themselves for your consideration during this session; such as the necessity of additional accommodations for the prison and almshouse, the crossings of many of the steam railroads at grade, endangering life and limb, and, in some cases, practically cutting off communication between different sections of the City, and the necessity of regulating the growing power of the telegraph and City passenger railroad companies.

We should also remember that while we are administering our municipal affairs with prudence and economy, we must be careful not to let the property of the City deteriorate, or suffer for want of attention and repair. Such a system of false economy will compel us, in the future, on realizing our negligence, to increase our tax rate.

Lastly, let us especially remember that one of the most important trusts and duties confided to us, is that of selecting the managers, trustees, and guardians of the various branches of the City government. The very valuable work of cutting down appropriations and decreasing the tax-rate is for the most part rendered null and void if we fail to select with care and conscience the heads of the money-spending departments. The beneficial administration of these important trusts depends greatly upon the fidelity and integrity with which we exercise this power. Let us heed the signs of the times, and choose men of character and business capability, who can be depended upon to discharge their duties with an eye single to the public interest. Let us select

> "Men whom the spoils of office cannot buy.
> Men who have opinions and a will."

The President

Announced that nominations were in order for Clerk of Common Council for the ensuing term.

Mr. Rowan

Nominated John Eckstein.

Mr. Faunce

Moved that John Eckstein be elected by acclamation.

Which was unanimously agreed to.

And John Eckstein was declared unanimously elected Clerk of Common Council for the ensuing term.

The President

Announced that nominations were in order for Assistant Clerk of Common Council for the ensuing term.

Mr. Rowan

Nominated George W. Kochersperger.

Mr. Grace

Moved that George W. Kochersperger be elected by acclamation.

Which was unanimously agreed to.

And George W. Kochersperger was unanimously elected Assistant Clerk of Common Council for the ensuing term.

The President

Announced that nominations were in order for two Messengers for the ensuing term.

Mr. Rex

Nominated Gavin Neilson,

Mr. Collins

Nominated George W Johnson.

Mr. Young

Moved that Gavin Neilson and George W. Johnson be elected by acclamation.

Which was unanimously agreed to.

And Gavin Neilson and George W. Johnson were declared unanimously elected Messengers of Common Council for the ensuing term.

Messrs. John Eckstein, George W. Kochersperger, Gavin Neilson, and George W. Johnson, appeared before the Clerk's desk, when the oath of office was administered to them by the President.

The President

Appointed Wm. H. Felton, Page, and William H. Simpson, Doorkeeper.

The President

Then introduced Rev. Isaac L. Nicholson, who read a passage of Scripture, and made an appropriate prayer.

Also,

Announced the following Standing Committees for the ensuing year:

Finance.—Messrs. Clay (Ch'n), Bardsley, Rex, Irvine, Collins, Wallace, Shegog, Hollingsworth, Catanach, Hall, Patton, Iseminger.

Highways.—Messrs. Wallace (Ch'n), Henry, Vandusen, Gardy, U. C. Smith, Vanderslice, Claghorn, Merklee, Griffiths, Grim, Moran, Reinstine.

Water.—Messrs. Irvine, Clay, Stringfellow, Beaver, C. K. Smith, Bement, Flanagan, McCormick, Maloney, Showaker, Strickland, McCully.

Surveys.—Messrs. Rex (Ch'n), Miller, Grace, Durham, Reed, Shallcross, Donaldson, Webster, Herse, Carpenter, Hetrick, Conrad.

City Property.—Messrs. U. C. Smith, McCormick, Faunce, Stringfellow, W. Dunlap, Conrade, Leithead, Griffiths, Edwards, Weichselbaum, Conrad, Reinstine.

Police.—Messrs. Henry (Ch'n), Rowan, Peterson, Simmons, Greger, Steen, Jones, Showaker, Herse, Leithead, Schneider, Carlin.

Schools.—Messrs. Bardsley, Patton, Simmons, Tasker, Myers, Showaker, Weichselbaum, Craig, W. Dunlap, Gallager, Foster, Levi.

House of Correction.—Messrs. Shegog (Ch'n), Jefferis, Spear, Currie, Shallcross, Young, Claghorn, Bonsall, P. A. Allen, Craig, Reinstine, McCully.

Railroads.—Messrs. Grace, Bardsley, Peterson, Morris, Carpenter, Rowan, Gardy, Ruhl, Donaldson, G. W. Allen, Iseminger, Moran.

Fire.—Messrs. Hall (Ch'n), J. Greger, Govett, Jefferis, Bonham, Conrade, Kauffman, H. C. Dunlap, Neveling, Millick, Hoffman, O'Rourke.

Law.—Messrs. Hollingsworth, Morris, Grace, Vanderslice, U. C. Smith, Maloney, Patton, Faunce, Bonham, Miller, Ruhl, Davis.

Election Divisions.—Messrs. Merklee (Ch'n), Tasker, Lowenstein, H. C. Dunlap, Myers, Reed, Bonsall, Young, Govett, Currie, Millick, Gallagher.

Gas.—Messrs. Collins (Ch'n), Durham, Spear, Morris, Catanach, Bement, Rex, Sorber, Maloney, Hollingsworth, Flanagan, and Holeman.

Printing and Supplies.—Messrs. Webster, Greger, Flanagan, Spear, Cross, Lowenstein, Reed, P. A. Allen, Donaldson, Currie, Ryan, and Carlin.

Verify Cash Accounts.—Messrs. Van Dusen, Irvine, Stringfellow, Peterson, Kauffman, Sorber, Claghorn, Neveling, Schneider, Conrad, Iseminger, and Strickland.

Prisons.—Messrs. McCormick (Ch'n), Bement, Leithead, Simmons, Faunce, Beaver, Bonham, C. K. Smith, Carpenter, Foster, Moran, and McCully.

Police and Fire-alarm Telegraph.—Messrs. Gardy, Durham, Vanderslice, Beaver, Miller, G. W. Allen, Merklee, Van Dusen, Edwards, Ryan, Hetrick, and Davis.

Compare Bills.—Messrs. G. W. Allen (Ch'n), Ruhl, Weichselbaum, Govett, Bonsall, Steen, Lowenstein, H. C. Dunlap, Davis, Foster, Ryan, and Hoffman.

Boiler Inspection.—Messrs. Kauffman, Cross, Millick, Conrade, Griffiths, Jones, Grim, Holeman, Levi, Carlin, Hetrick, and O'Rourke.

Commerce and Navigation.—Messrs. Catanach, Collins, Jones, C. K. Smith, Rowan, and Cross.

Mr. Miller

Offered the following, to wit:

RESOLUTION

Relative to the late rules of Common Council.

Resolved, That the rules and regulations of the late Common Council be adopted by this Council for the ensuing year.

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Rowan

Offered the following, to wit:

RESOLUTION

To inform Select Council that Common Council is organized.

Resolved, That a Committee of two be appointed to inform Select Council that Common Council is organized and ready to proceed to business.

The resolution was twice read, and agreed to.

The title was agreed to.

The President

Appointed Messrs. Rowan and Carlin the Committee, who subsequently reported that Select Council would communicate with Common Council.

Messrs. Miles and Halterman, a Committee of Select Council, were introduced, when they informed Common Council that Select Council was organized with the following officers:

President—George A. Smith.

Clerk—Joseph H. Paist.

Assistant Clerk—Alexander J. McCleary.

Messenger—Mortimer L. Johnson.

Mr. Clay

Offered the following, to wit:

RESOLUTION

To appoint a Joint Special Committee to wait on the Mayor.

Resolved by the Select and Common Councils of the City of Philadelphia, That a Joint Special Committee of three

members from each chamber be appointed to wait on the Mayor and inform him that Councils are organized and ready to receive any communication that he may have to make.

The resolution was twice read, and agreed to.

The title was agreed to.

The President

Appointed Messrs. Clay, Gardy, and Moran the Committee on the part of Common Council, who subsequently reported that they had waited on the Mayor, and he informed them that he had nothing to communicate.

Mr. Showaker

Offered the following, to wit:

RESOLUTION

Of thanks to Rev. Isaac L. Nicholson.

Resolved, That the thanks of this chamber are due and are hereby tendered to the Rev. Isaac L. Nicholson for his kindness in officiating on the occasion of organizing this chamber.

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. U. C. Smith

Offered the following, to wit:

RESOLUTION

Of thanks to the Honorable Judge D. Newlin Fell.

Resolved by the Common Council of the City of Philadelphia, That the thanks of this Common Council be, and they

are, hereby tendered to the Honorable Judge D. Newlin Fell for his kindness in administering the oath of office to the new members of this Council.

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Miller

Offered the following, to wit: "Resolution to appoint a Special Committee to inquire as to the eligibility of Michael O'Rourke as member of Common Council from the Twenty-fifth Ward."

The resolution was again read.

Mr. Clay

Moved that the resolution be referred to the Committee on Law of Common Council.

Which was agreed to.

Select Council informed Common Council that they had passed a resolution entitled "Resolution to continue the Special Committee on the Bi-Centennial Anniversary of the Landing of William Penn."

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

The President

Appointed Messrs. Morris and McCully, on the part of Common Council, to fill the vacancies.

Mr. Myers

Offered the following, to wit:

RESOLUTION

To draw seats.

Resolved by Common Council of the City of Philadelphia, That the members retire to the rear of the room to proceed to draw for seats for the year commencing April 4, 1881.

The resolution was twice read, and agreed to.

The title was agreed to.

The Clerk

Thereupon drew slips of paper containing the names of the members, which were handed to the President, and as he announced their names they selected their seats.

The President

Presented a communication from the Chief Commissioner of Highways. (*Appendix No. 1.*)

Which was referred to the Committee on Finance.

Mr. Rex (on leave)

Offered the following, to wit: "Resolution to continue the Special Committee on Conference with the City Solicitor and District Attorney." (*Appendix No. 2.*)

The resolution was twice read, and agreed to.

The title was agreed to.

The President

Appointed Mr. Maloney on the Committee to fill vacancy.

Mr. Bardsley (on leave)

Offered the following, to wit: "Resolution of Instruction to the Chief-Engineer and Surveyor of the City, relative to damages from culvert along York street.

Which was referred to the Committee on Surveys.

Also (on leave),

Presented a communication from John Welsh, for a revision of the City Plan between Carpenter's lane, Rittenhouse street, Green street, and the Park line on the east bank of the Wissahickon.

Which was referred to the Committee on Surveys.

Also (on leave),

Presented a petition of the citizens and property owners of the Twenty-third Ward for proper drainage of surface water at Frankford and Arrott streets, in the said ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following, to wit: "Resolution for the construction of a sewer across Fiftieth street, in the Twenty-fourth Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Presented a communication from the Board of Health, relative to open creek between the sewer openings at Twenty-sixth street and Susquehanna avenue, and Lamb Tavern road and Sixteenth streets.

Which was referred to the Committee on Surveys.

Also (on leave),

Presented a petition and ordinance to revise lines and grades of Clearfield street.

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to the Chief-Engineer and Surveyor, relative to preparing plans and estimates of cost of constructing the remaining portion of the West Cohocksink sewer."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the Chief-Engineer and Surveyor to report a plan to straighten Frankford avenue."

Which was referred to the Committee on Surveys.

Also (on leave),

Presented a petition of citizens and property owners of the Twenty-third Ward to have Unity street placed on the City plan, and to vacate Vezin and Horrocks streets.

Which was referred to the Committee on Surveys.

Mr. Clay

Moved that Council take a recess till a quarter of twelve o'clock.

Which was agreed to.

The time of recess having expired,

The President

Called Council to order.

The President

Presented a communication from the President and Board of Directors of the Pennsylvania Academy of Fine Arts, inviting Councils to the opening of the Fifty-second Spring Exhibition of Paintings, this evening, from 8 to 11 o'clock.

Which was read.

Mr. Clay

Moved that the invitation be accepted, and the thanks of Council be returned to the President and Board for their kindness.

Mr. O'Rourke (on leave)

Presented a petition of the owners of property and residents of the Twenty-fifth Ward for a bridge or passage-way under the railroad at Thompson street similar to one at Richmond street.

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to grade Jasper street, from Hart street south three hundred and fifty feet south of Hart lane, Twenty-fifth Ward."

Which was referred to the Committee on Highways.

Joint Convention.

Select Council being introduced, Councils meet in Joint Convention, in pursuance of law, to attend the inauguration of the Mayor.

The President of Select Council, Mr. Smith, in the chair,

Who announced that Select and Common Councils had assembled in conformity with the Act of Assembly, approved March 10, 1875, entitled "An Act fixing and regulating the terms of all Members of Councils, and other city, ward, borough, and township officers, excepting school directors, elected by the people, and fixing the time of the municipal governments of the Commonwealth, and the inauguration of the mayors of all the cities of the same."

Mr. McCullough (of Select Council),

From the Joint Committee appointed to make arrangements for the inauguration, reported that the Committee had attended to the duty assigned them, and that the Honorable William S. Stokley, Mayor, and Honorable Samuel G. King, Mayor elect, were now present, with the Honorable James R. Ludlow, President Judge of Court of Common Pleas, No. 3.

Honorable James R. Ludlow then administered the oath to the Mayor-elect.

Rev. O. H. Tiffany, D.D., offered up an appropriate and impressive prayer.

After which the Honorable Samuel G. King, Mayor, delivered the following address:

GENTLEMEN OF THE SELECT AND COMMON COUNCILS:—

I am deeply sensible of the responsibilities I am about to assume in entering upon the duties of the Mayoralty of this City. Called to this high position by the favor of my fellow-citizens, I shall endeavor to discharge all its duties with fidelity. Every pledge given by me previous to my election shall be faithfully redeemed. In the discharge of the duties about to devolve on me, which shall be executed with firmness and fearlessness, I must ask the same indulgence which has been extended to me in other public positions for the last twenty years.

It has been customary for my predecessors, at their inauguration, to make known the policy they intend to pursue in administering the affairs of the City, thus giving to Councils and the people their views of such measures as they "may deem expedient for the security, health, cleanliness, improvement, and welfare of the City."

I must first congratulate you on the present condition of the finances. Although oppressed with a large debt, recent legislation will enable us to lessen it and bring it within

reasonable bounds, and thus enable us to reduce the burden of taxation. The Act of 1879, if strictly and sternly adhered to in all its details, will enable us to accomplish this much-desired object.

During my continuance in office it will give me great pleasure to join with you in all measures for the improvement and welfare of the City. It will be, I am satisfied, your earnest endeavor to resist all improper or unnecessary expenditures of the public funds. The people demand reform and retrenchment, and greater economy in expenditure. Much has been accomplished and much more is expected, and the more speedily we pay obedience to the popular will, the sooner will Councils gain the confidence which they once had in this community.

It will be my duty to free the City from a partisan police. An observation of many years has convinced me that a police force, in order to be truly effective, must be entirely disconnected from politics, and that its members should hold their positions as long as they conduct themselves honestly, soberly, and efficiently. The very knowledge that they hold their positions on these terms will make them the terror of every violator of the law. By the present system, when votes are to be secured, laws and ordinances are disregarded, crime connived at, and known and open violaters of the most salutary laws go free and unpunished. Under my administration, the members of the police force will not be permitted to interfere in elections, or in the nominating conventions of either party, and every violation of this rule will cause an immediate discharge, and no member of the force so discharged will ever be able to regain his position. In making this declaration it is proper for me to say, further, that I am aware that in some wards of the City members of the police force have been used by so-called political leaders for their own purposes. Nominally on the force, they have

been the political agents to carry out the views and partisan designs of these leaders. Every case of this kind shall be fairly investigated, and if vacancies are created, the places will be filled irrespective of party affiliations.

Assessments on the police force for political purposes shall no longer be tolerated. Contributions and assessments for political purposes have produced, and will continue to produce, the worst possible results to the whole body politic. Whilst nominally procured for honest and legitimate election expenses, they are used to corrupt the voter and purchase the election officer. If corporate bodies and wealthy citizens will continue to contribute their money, with the knowledge that the money thus contributed is used to corrupt our elections, it shall be known that during my administration the police of Philadelphia shall not be made accessories to such crimes by contributions for such nefarious purposes, which strike at the foundations of our civil government.

One of the most important wants of the City is better-paved highways. Paving with cobble stones or rubble should be discontinued, and the Belgian block or other approved pavement should be hereafter authorized. In the suburban districts, cobble stones might be used temporarily, and I would recommend to Councils to appropriate a moderate amount annually for the purpose of repaving with Belgian blocks our principal streets at an early day. The present condition of many of our main avenues is a reproach to the City. Improved pavements will add to the value of property on the line of the streets improved, and the Treasury would be reimbursed in some degree from that increase.

I cannot too earnestly impress upon Councils the necessity of procuring an abundant supply of pure water. Any further delay in making this most necessary provision might endanger the health and lives of our citizens. The completion of the East Park Reservoir, as a subsiding and storage

reservoir, would be a great auxiliary, and aid largely in securing us pure water at all seasons of the year. In completing this reservoir, the labor of the inmates of the House of Correction could be advantageously and economically used. To accomplish this much-desired object, I would suggest that an appropriation should be made from the surplus now in the Treasury from the year 1880. A moderate appropriation this year might be continued from time to time until the whole work should be completed.

The proper lighting of a large city is one of the most important duties devolved upon Councils. If a city be properly lighted, life and property are better secured. Darkness enables the thief, the burglar, and the criminal of every description to cover their tracks. Abundant light, on the contrary, is one of our best detective agents and preventives of crimes. It tends, besides, to add to a city's population, commerce, and riches, and will increase its comforts as a place of residence. The electric light has been introduced into some of the large and wealthy cities of the world, with great promise of future success. Its brilliancy and cheapness have commended it to citizens. In London, Paris, Vienna, New York, and in some of our own Western cities it is being introduced. I commend it to the favorable consideration of Councils.

The Board of Education is one of the best managed of our Departments. Its administration reflects great credit on the Board. With the expenditure of a large appropriation made annually to them, no dissatisfaction is expressed, and they have the entire confidence of the community. Councils should next year make a more liberal appropriation. Upon the successful management of our schools, and the education of the young, depends the best development of our institutions. The appropriations for several years for teachers' salaries, whose duties are so arduous and exacting, was inade-

quate; particularly those salaries paid to the teachers charged with the instruction of the youngest children. The appropriation for night schools was exhausted before the term was more than half over. The popularity and usefulness of these night schools was so marked in some sections, that they have been supported by private contributions for more than half the season.

Before concluding, there are a few other subjects to which I beg leave to draw the attention of Councils.

It is important that the apartments in the Public Buildings, designed for public offices, shall be speedily occupied. Scattered as they now are, our citizens are seriously inconvenienced. Considering the millions already expended for these buildings, the City should be saved the annual rents paid for the offices now occupied for public purposes.

The passenger railways are a great convenience to the public. It can be justly said they join our widely-spread City in iron bands, and have added largely to its increase. But before any additional privilege should be granted to any of them, I would exact a reduction to five cent fares. Some knowledge of the workings of these roads, and of their expenditures, have satisfied me that a five cent fare would pay the stockholders a fair percentage on their capital, if it would not tend to increase it by increasing the number of persons who would use the cars.

With reference to this subject Councils should insist that the Act entitled "An Act to define the duties and liabilities of passenger railway corporations in the City of Philadelphia," passed in 1868, should be forthwith repealed, in order to bring the subject of fares, as far as practicable, under the jurisdiction of Councils.

Continued and increasing attention should be given to the navigation of the Delaware and Schuylkill rivers. Without commerce no city can become truly great and wealthy. The

river Delaware and its tributaries have natural advantages scarcely equalled, and need but few artificial improvements, such as clearing the channels of obstructions and erecting the necessary lights. Congress has made, and I have no doubt will continue to make, the necessary appropriations; but, in my opinion, the attention of Congress should annually be directed by Councils to the necessity of making these appropriations.

In the selection of members of the Board of Guardians of the Poor, members of the House of Correction, Commissioners of the Fire Department, and Trustees of the Gas Works, I would conjure my fellow-citizens of Select and Common Councils to choose none but men of approved standing and character in the community. To the members of the first two Boards the care of the poor, sick, infirm, and the unfortunate inebriates of both sexes are confided, and they should not only be men of integrity and ability, but men full of charity, with a kindly feeling towards those placed in their charge. There are many men of leisure in our community who would willingly give their time to the management of these benevolent institutions. Political considerations should not be permitted to enter into the choice of these agents. To the Trustees of the Gas Works are entrusted millions of the public funds. Not only men of integrity, but of business capacity of a high character are needed for these positions. Above all, no one should be selected who has mercenary or political objects in view. Their accounts should be always open for public inspection and examination, and should be annually audited by the City Controller. The Commissioners of the Fire Department should likewise be men of integrity, and should not be chosen in order to give places to a few political agents. If the position of a fireman is to be considered in the future, as it is at present, a reward for political services rendered, or about to be rendered, then it is

time the department should be entirely reconstructed. The fireman—upon whose sobriety, fidelity, and courage so much depends—should be chosen irrespective of party, and should hold his office during good behavior.

And now, gentlemen of the Select and Common Councils, in conclusion: I have been associated with you for upwards of twenty years. During that whole time, I have been treated by you all with kindness, regard, and respect. The recollections of these twenty years are among the happiest of my life. During my term of office as Mayor, I shall desire to cultivate with you, one and all, the same feelings of kindness and friendship. If we should ever differ, I am satisfied it will be the difference of honest men seeking best how to serve the interests of our well-beloved City.

Mr. Hoffman (of Common Council)

Offered the following, to wit:

RESOLUTION

Of thanks to the Reverend O. H. Tiffany, D.D., and Hon. James R. Ludlow.

Resolved by the Select and Common Councils of the City of Philadelphia, That the thanks of Councils are due and are hereby tendered to the Rev. O. H. Tiffany and Hon. James R. Ludlow, for their kindness in officiating on the occasion of the inauguration of the Mayor of the City, April 4, 1881.

The resolution was twice read and agreed to.

The title was agreed to.

The purposes for which the convention had assembled having been completed, Select Council retired.

Select Council informed Common Council that they had concurred in resolution to appoint a Joint Special Committee to wait on the Mayor, and had appointed Messrs. McCullough, Reyburn, and Schellinger the Committee on the part of Select Council.

Also,

That the following had been announced as the Standing Committees for the ensuing year.

Finance.—Messrs. Reyburn, Gates, Houseman, Bumm, McCullough, Parker, Green, Halterman, Miles, Hammett, Bickel, and Snowden.

Water Works.—Messrs. Reyburn (Ch'n), McCullough, Blair, Bumm, Albright, Green, Gilbert, Halterman, Roney, Parker, Snowden, and Bickel.

City Property.—Messrs. Bumm (Ch'n), Halterman, Brooke, Copeland, Blair, Mullen, Glass, Reyburn, Shotwell, Cuming, Schellinger, and Monroe.

Schools.—Messrs. Gates (Ch'n), Miles, Patton, Martin, Halterman, Parker, Shotwell, Blair, Bumm, Gilbert, McMullen, and Schellinger.

Railroads.—Messrs. McCullough (Ch'n), Gates, Houseman, Reyburn, Albright, Glass, Hammett, Miles, Cuming, Brooke, Davis, and Bickel.

Highways.—Messrs. Mullen, Glass, Patton, Albright, Houseman, Copeland, Martin, Cuming, Evans, Roney, Davis, and Schellinger.

Surveys.—Messrs. Martin, Miles, Patton, Gates, Mullen, Brooke, Gilbert, Houseman, Evans, McMullen, and Schellinger.

Police.—Messrs. Albright, Brooke, Evans, Green, Mullen, Cuming, Roney, Parker, Shotwell, McMullen, Snowden, and Bickel.

House of Correction.—Messrs. Green, Parker, Martin, Blair, Mullen, Shotwell, Hammett, Glass, Copeland, Davis, and Monroe.

Fire Department.—Messrs. Copeland, Halterman, Bumm, Patton, Albright, McCullough, Roney, Shotwell, Blair, McMullen, and Monroe.

Law.—Messrs. Miles (Ch'n), Evans, Gates, Reyburn, Roney, Houseman, McCullough, Albright, Hammett, Gilbert, Snowden, and Bickel.

Gas Works.—Messrs. Blair, Glass, Martin, Albright, Bumm, Green, Evans, Copeland, Gilbert, Halterman, Monroe, and Davis.

To Verify Cash Accounts.—Messrs. Halterman (Ch'n), Martin, Copeland, McCullough, Evans, Gilbert, Brooke, Patton, Blair, Hammett, Snowden, and Monroe.

Fire-alarm.—Messrs. Patton (Ch'n), Gates, Reyburn, Parker, Glass. Miles, Green, Cuming, Houseman, Mullen, Schellinger, and Davis.

Boiler Inspection.—Messrs. Brooke (Ch'n), Parker, Gilbert, Green, Glass, Miles, Blair, Shotwell, Hammett, Copeland, Davis, and Schellinger.

Election Divisions.—Messrs. Roney, McCullough, Brooke, Copeland, Patton, Bumm, Shotwell, Miles, Glass, Davis, and McMullen.

Printing and Supplies.—Messrs. Martin (Ch'n), Gilbert, Evans, Patton, Parker, Bumm, Brooke, Roney, Cuming, Monroe, and Schellinger.

Prisons.—Messrs. Parker, Mullen, Reyburn, Green, Hammett, Gates, Evans, Cuming, Monroe, McMullen, and Bickel.

Compare Bills.—Messrs. Roney, McCullough, Halterman, Houseman, Shotwell, Mullen, Albright, Cuming, Martin, Davis, Bickel, and McMullen.

Commerce and Navigation.—Messrs. Houseman (Ch'n), Gates, Hammett, McMullen, and Snowden.

Mr. Gardy

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Thursday, April 7, 1881.

Council met. Members present—

Messrs. G. W. Allen,
Bardsley,
Beaver,
Bement,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Edwards,
Faunce,
Foster,
Gardy,
Govett,
Grace,
Greger,
Griffiths,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,
Kauffman,
Leithead,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Moran,
Morris,
Myers,
Neveling,
O'Rourke,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Ryan,
Schneider,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Stringfellow,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Weichselbaum,
Young,

Messrs.

Lex, *Pres't.*

The President

Presented a communication from the Chief Commissioner of Highways, relative to an appropriation for the construction of a sewer on Thirteenth street, from Wharton to Morris streets. (*Appendix No. 3.*)

Which was referred to the Committee on Finance.

Also,

Presented a further communication from the Chief Commissioner, calling the attention of Councils to two communications previously sent. Appendix 2 of Select Council and Appendix 155 of Common Council. (*Appendix No. 4.*)

Which was referred to the Committee on Law.

Also,

Presented a petition of citizens and property owners of the City, relative to the practicability of completing the East Park Reservoir.

Which was referred to the Committee on Water.

Also,

Presented a statement from the Chief-Engineer and Surveyor, showing the condition of the appropriation to the Department of Surveys, March 31, 1881. (*Appendix No. 5.*)

Also,

Presented an ordinance for the construction of a continuous sewer on Sixth, Barclay, and Buckley streets, in the Fifth Ward.

Which were referred to the Committee on Surveys.

Also,

Presented a communication from the Commissioners of Fairmount Park, with an ordinance annexed, making an ap-

propriation to the Commissioners of Fairmount Park of a sum of money now in the City Treasury as a special fund for Park purposes.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Board of Health, with a resolution annexed, relative to making a transfer in the annual appropriation for the year 1881.

Which was referred to the Committee on Finance.

Also,

Presented a further communication, with a resolution annexed, requesting Councils to make an appropriation of $10,000 to the Board of Health for public vaccination.

Which was referred to the Committee on Finance.

Mr. Spear (on leave)

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer on Medina street, in the First Ward."

Which was referred to the Committee on Surveys.

Also (on leave)

Offered the following, to wit: "Resolution relative to the lighting of the City with lamps of the Maloney Company's Patent."

Which was referred to the Committee on Gas Works.

Also (on leave)

Read in place a bill entitled "An Ordinance to place Jarvis street, from Fourth street to a point, and Juniata street, from Wilder street to a point where it will connect with Jarvis street, in the First Ward, on City plan."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to open Fourth street, from a point above McKean street to Snyder avenue, in the First Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to Chief Commissioner of Highways to macadamize Weccacoe avenue, in the First Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to construct a sewer on Owen street, in the First Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to make an appropriation to the Board of Public Education for repairs on Weccacoe School; also for payment of teachers unprovided for in previous appropriations, in the First Section."

Which was referred to the Committee on Finance.

Mr. Cross (on leave)

Read in place a bill entitled "An Ordinance to authorize the changing of a gas lamp in the Seventh Ward."

Which was referred to the Committee on Gas Works.

Mr. Claghorn

Presented a petition of Samuel J. Cresswell, requesting

the privilege of constructing a railway track across Cherry street, near Twenty-third street, in the Tenth Ward.

Which was referred to the Committee on Railroads.

Mr. Collins

Presented a petition of citizens and property owners for the construction of a gas main on Columbia avenue out to Thirty-first street.

Which was referred to the Committee on Gas Works.

Mr. Peterson (on leave)

Offered the following, to wit: "Resolution of request to the Committee on Police relative to lighting Chestnut street with electric lights."

Which was referred to the Committee on Police.

Also,

Presented a petition of the Ladies' Board of the Home for Aged Men and Women, in the Twenty-fifth Ward, relative to exempting said home from taxation.

Which was referred to the Committee on Finance.

Mr. Irvine (on leave)

Read in place a bill entitled "An Ordinance to construct a sewer on Priott street, between Twenty-fourth and Twenty-fifth streets, and on Twenty-fifth street, in the Fifteenth Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to construct a sewer on Inquirer street, in the Fourteenth Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer on Carlton street, between Seventeenth and Eighteenth streets, in the Fifteenth Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to grade Somerset street, in the Twenty-eighth Ward."

Which was referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners of the Fifteenth Ward, to have water pipe laid on Wilcox and Taylor streets, in said ward.

Which was referred to the Committee on Water Works.

Mr. Gardy (on leave)

Read in place a bill entitled "An Ordinance to open Zimmerman street, from Twenty-sixth to Thirtieth streets, in the Twenty-ninth Ward."

Which was referred to the Committee on Highways.

Also,

Presented a communication from Harrison Bro. & Co., relative to certain telegraph privileges.

Which was referred to the Committee on Police and Fire-alarm Telegraph.

Mr. Showaker (on leave)

Read in place a bill entitled "An Ordinance to build a bridge for pedestrians across Philadelphia and Reading Railroad, at Frankford avenue, in the Thirty-first Ward."

Which was referred to the Committee on Surveys.

Mr. Flanagan

Presented a petition of citizens and property owners of the Twenty-first Ward, for water pipe on Levering street, in said ward.

Which was referred to the Committee on Water Works.

Mr. Wallace

Presented a petition of citizens and property owners of the Twenty-first Ward, for sewer on Baker street, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twenty-first Ward, to lay water pipe on Ridge road, in said ward.

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of Cunningham and McNichol."

Which was referred to the Committee on Highways.

Mr. Rex (on leave),

Read in place a bill entitled "An Ordinance to revise the lines and grades of plan No. 6."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Gowen avenue, from Sprague street to Stenton avenue."

Which was referred to the Committee on Highways.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to the Chief-Engineer of the Water Department to carry out the provisions of the ordinance of Councils, approved April 9, 1878, directing the laying of water pipe on Germantown avenue, from Chestnut Hill tank southward to Sedgwick street, in the Twenty-second Ward."

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to make an appropriation to carry into effect the ordinance entitled 'An Ordinance regulating the salary of the City Solicitor,' approved March 28, 1881."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance authorizing the Register of Wills to appoint two additional miscellaneous and recording clerks."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance taking possession of the property in the custody of the Trustees of the Philadelphia Gas Works, and to make an appropriation for the payment of certain outstanding loans and the interest on loans created for the use of said Gas Works."

Which was referred to the Committee on Finance.

Mr. Edwards

Presented a petition of citizens and property owners of the Twenty-second Ward, for water pipe on Ashmead street, from Wakefield street to the railroad in said ward,

Which was referred to the Committee on Water Works.

Mr. Henry (on leave)

Read in place a bill entitled "An Ordinance to construct sewers on Twenty-second street, from Parrish to Brown streets, and on Brown street from Twenty-second street to Corinthian avenue."

Which was referred to the Committee on Surveys.

Mr. Webster (on leave)

Read in place a bill entitled "An Ordinance to grade Penn street, between Harrison and Wakeling streets, to the established grade of the City."

Which was referred to the Committee on Highways.

Mr. Hall (on leave)

Offered the following, to wit: "Resolution to grade Aspen street, from De Kalb to Thirty-eighth street."

Which was referred to the Committee on Highways.

Mr. O'Rourke (on leave)

Read in place a bill entitled "An Ordinance to pave Ann street, from Belgrade street to Frankford avenue, in the Twenty-fifth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Offered the following, to wit: "Resolution authorizing the Board of Health to grade Hart creek, from Allegheny avenue to Somerset street, Twenty-Fifth Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to grade Ann street, from Belgrade street to Frankford avenue, in the Twenty-Fifth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the Chief Commissioner of Highways to cause the bridge on Cedar street, north of the Philadelphia and Reading Railroad, Twenty-fifth Ward, and also the paving north and south of said bridge to be put in proper order."

Which was referred to the Committee on Highways.

Mr. Holeman

Presented a petition of citizens and property owners of the Twenty-fifth Ward, for water pipe on Bridge street, between Richmond and Garden streets, in said ward.

Which was referred to the Committee on Water Works.

Mr. Kauffman

Presented a remonstrance of citizens and property owners on the line of Germantown avenue, between Eleventh street and Rising Sun lane, against the grading of said avenue without a revision of the grade.

Which was referred to the Committee on Surveys.

Mr. Steen (on leave)

Read in place a bill entitled "An Ordinance to grade Twentieth street, from Reed to Dickinson street, in the Twenty-sixth Ward."

Which was referred to the Committee on Highways.

Mr. Rowan (on leave)

Read in place a bill entitled "An Ordinance relative to a revision of grades on Market street, West Philadelphia."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to approve the plan submitted by the West Philadelphia Passenger Railway Company of certain alterations and additions to the tracks of the said company."

Which was referred to the Committee on Railroads.

Mr. Bardsley

Presented a communication from the Trustees of the City Ice Boats for an appropriation of thirty thousand dollars to repair Ice Boat No. 1.

Which was referred to the Committee on Finance.

Mr. Vanderslice (on leave)

Read in place a bill entitled "An Ordinance to authorize the grading of Sedgley avenue, from York street to the Lamb Tavern road, and from Ridge avenue to Montgomery avenue, in the Twenty-eighth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to prevent drainage from drain or waste pipes, or alleys, from being discharged upon the pavements or footwalks of the City."

Which was referred to the Committee on Highways.

Mr. Myers (on leave)

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer across Twentieth street, on the line of Hermon street, in the Twenty-eighth Ward."

Which was referred to the Committee on Surveys.

Mr. Beaver (on leave)

Read in place a bill entitled "An Ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward of the City of Philadelphia."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Thompson street, between Taney and Twenty-eighth streets, Twenty-ninth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Sharswood street, from Twenty-fourth street to Twenty-seventh street, Twenty-ninth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Offered the following, to wit: "Resolution appointing a Joint Special Committee on lighting the City by electricity."

The resolution was again read.

Mr. Rowan

Moved that the resolution be referred to the Committee on Gas Works.

Mr. Henry

Moved to amend by striking out "Gas Works" and inserting "Police."

Which was agreed to.

The motion as amended was agreed to.

Mr. Miller (on leave)

Presented a petition of citizens and property owners of the Eighteenth Ward, for a sewer on Thompson street, between Cumberland and Emery streets, in said ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Presented a petition of citizens and property owners of the Thirty-first Ward, accompanied with an ordinance, for water pipe on Geiss street, from Dauphin street to Gordon street, in said ward.

Which was referred to the Committee on Water Works.

Also (on leave),

Presented a petition of citizens of the Thirty-first Ward, accompanied by an ordinance for the paving of Collins street, in said ward.

Which was referred to the Committee on Highways.

Also (on leave),

Presented a petition of citizens and property owners of the Thirty-first Ward, for the grading of Collins street, in said ward.

Which was referred to the Committee on Highways.

Also (on leave),

Offered the following, to wit: "Resolution to appoint a Joint Special Committee, relative to accommodations in the new Public Buildings for Councils." (*Appendix No. 6.*)

The resolution was twice read, and agreed to.

The title was agreed to.

The President

Appointed Messrs. Miller, Rowan, Spear, C. K. Smith, and Grim, the Committee on the part of Common Council.

Mr. Hall (on leave)

Offered the following, to wit: "Resolution of instruction to the City Solicitor, relative to the Fire Commissioners." (*Appendix No. 7.*)

The resolution was twice read, and agreed to.

The preambles were agreed to.

The title was agreed to.

Select Council informed Common Council that they had concurred in resolution entitled "Resolution to appoint a Joint Special Committee, relative to accommodations in the new Public Buildings for Councils," and had appointed Messrs. Mullen, Miles, Evans, Blair, and McMullen, the Committee on the part of Select Council.

Also,

That Mr. Bickel had been appointed on the Bi-Centennial Committee to fill vacancy.

Mr. Showaker

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Thursday, April 21, 1881.

Council met—Members present:

Messrs. Allen, G. W.,
Bardsley,
Beaver,
Bement,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Flanagan,
Foster,
Gallagher,
Gardy,
Govett,
Grace,
Griffiths,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Moran,
Morris,
Myers,
Neveling,
O'Rourke,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Ryan,
Schneider,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Strickland,
Stringfellow,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Weichselbaum,

Lex, *Pres't.*

The President

Presented a communication from the Board of City Trusts, with a resolution annexed, relative to paving certain streets with cubical blocks.

Which was referred to the Committee on Highways.

Also,

Presented a resolution of request to the Chief Commissioner of Highways, to open Sharswood street, in the Twenty-ninth Ward.

Which was referred to the Committee on Highways.

Also,

Presented a report of the Board of Harbor Commissioners, recommending the adoption of wharf lines. (*Appendix No. 8.*)

Which was referred to the Committee on Surveys.

Also,

Presented a communication from the Philadelphia Board of Trade, submitting nominations for the Board of Port Wardens. (*Appendix No. 9.*)

Also,

Presented a communication from the Board of Health, with a resolution annexed, relative to an appropriation for vaccination.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the same body, with a resolution annexed, relative to increasing certain items in the annual appropriation to the Board of Health for the maintenance of the Municipal Hospital.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the same body, with a resolution annexed, relative to a large pool of standing water (caused by want of an inlet) at Moore street and Eleventh street, north of Mifflin street.

Which was referred to the Committee on Highways.

Also,

Presented a communication from the Chief Commissioner of Highways, relative to an accumulation of water in the street at the intersection of Beach and Otis streets.

Which was referred to the Committee on Highways.

Also,

Presented a communication from the Chief Commissioner of Highways, relative to the appropriation for the grading of Germantown avenue, from Gorgas lane to Chestnut Hill.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the City Solicitor, relative to the legal proceedings against the Philadelphia Gas Trustees, and requesting an appropriation for that purpose. (*Appendix No. 10.*)

The communication was read.

Mr. Rowan

Moved that the communication be referred to the Committee on Law.

Mr. Hollingsworth

Moved to amend by striking out "Law" and inserting "Finance."

Which was agreed to.

The motion as amended was agreed to.

Mr. Rex (on leave)

Read in place a bill entitled "An Ordinance to make an appropriation to the Law Department to meet the expenses of a suit against the Trustees of the Philadelphia Gas Works."

Which was referred to the Committee on Finance.

Mr. Spear (on leave)

Read in place a bill entitled "An Ordinance to construct a sewer on McKean street, from Eighth to Ninth street.

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to construct a sewer on Fourth street, from Tasker to Dickinson street, in the First Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to pave Watt street, from McKean street to Snyder avenue, in the First Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to grade Cuba street, below Moore street, in the First Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to pave Cuba street, below Moore street, in the First Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to repair or rebuild police station-house of the Second District."

Which was referred to the Committee on Police.

Also (on leave),

Read in place a bill entitled "An Ordinance to pave with cobble stones McKean street, from Broad to Juniper street, in the First Ward."

Which was referred to the Committee on Highways.

Mr. Levi (on leave)

Read in place a bill entitled "An Ordinance to locate a gas lamp at No. 710 South street, in the Fourth Ward."

Which was referred to the Committee on Gas Works.

Mr. Govett (on leave)

Offered the following, to wit: "Resolution of instruction to the Commissioner of City Property, relative to enclosing the front yard of school-house at the corner of Pine and Quince streets, in the Seventh Ward."

Which was referred to the Committee on City Property.

Mr. Patton (on leave)

Read in place a bill entitled "An Ordinance to authorize the City Solicitor to mark satisfied of record one of the two bonds given by John Zeh, principal, and Thomas McLaughlin, surety, for $500 each."

Which was referred to the Committee on Finance.

Mr. Claghorn

Presented a petition of citizens and property owners of the City relative to the removing of ashes at private expense.

Which was referred to the Committee on Law.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Nineteenth street, from Norris street to Park avenue."

Which was referred to the Committee on Highways.

Mr. Millick (on leave)

Offered the following, to wit: "Resolution to grant permission to construct a bulk or oriel window at 805 North Broad street."

Which was referred to the Committee on Police.

Mr Clay (on leave)

Read in place a bill entitled "An Ordinance to approve the contract and surety of Hiram A. Miller for the erection of privies at the Kenderton School-house, in the Twenty-eighth section."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance to approve the contract and sureties of Charles O'Neill, Jr., for the erection of a school-house at the southeast corner of Twenty-sixth and Jefferson streets."

Which was referred to the Committee on Finance.

Mr. Gardy

Presented a remonstrance of citizens and property owners of the Eighteenth Ward, against the construction of a sewer on Memphis street, between Vienna and Palmer streets, in said ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to repeal an ordinance entitled 'An Ordinance to authorize the opening of Wilder street, in the Eighteenth Ward.'"

Which was referred to the Committee on Highways.

Mr. Grace (on leave)

Read in place a bill entitled "An Ordinance to authorize the revision of the lines of Seventy-first street on the plans of the City of Philadelphia."

Which was referred to the Committee on Surveys.

Mr. Merklee (on leave)

Read in place a bill entitled "An Ordinance to change the place of voting in the eighth division of the Twentieth Ward."

Which was referred to the Committee on Election Divisions.

Also,

Presented a petition of Robert D. Radcliff, for the privilege of using the streets of the City of Philadelphia for underground telegraphic purposes.

Which was referred to the Committee on Police and Fire-alarm Telegraph.

Mr. Wallace

Presented a petition of citizens and property owners of the Twenty-first Ward, for water pipe on Jefferson street, from Linden street, a distance of 125 feet, in said ward.

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Davis street, in Manayunk, Twenty-first Ward, City of Philadelphia, from Ezekiel street southwestwardly 250 feet."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Mascher street, from Berks street to Montgomery street."

Which was referred to the Committee on Highways.

Mr. Flanagan

Presented a petition of citizens and property owners of the Twenty-first Ward, for water pipe from Magnet street to Spring street, and fire-plug at corner of Spring and Green streets, in said ward.

Which was referred to the Committee on Water Works.

Mr. Henry (on leave)

Read in place a bill entitled "An Ordinance authorizing the grading of Peel street, between Penn street and Mill street, in the Twenty-second Ward," accompanied with a petition for the same.

Which was referred to the Committee on Highways.

Mr. Webster (on leave)

Read in place a bill entitled "An Ordinance to authorize the opening of Tucker street, from Tacony street to James street, in the Twenty-third Ward."

Which was referred to the Committee on Highways.

Also,

Presented a communication from the Board of Fire Commissioners, relative to insufficiency of appropriation to build Fire Station No. 14, at Frankford.

Which was referred to the Committee on Finance.

Mr. Hall

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for water pipe on Union street, from Oregon to Myrtle street, and on Vanilla street, from Union to Thirty-ninth street, in said ward.

Which was referred to the Committee on Water Works.

Also,

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for the construction of a sewer in Thirty-third street, between Haverford and Rockland street, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for the curbing and paving of Union street, from Oregon to Myrtle street, in said ward.

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to open Fifty-second street, from Market street to Girard avenue, in the Twenty-fourth Ward."

Which was referred to the Committee on Highways.

Mr. Strickland

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for a sewer on Myrtle street, between Fortieth and Preston streets, in said ward.

Which was referred to the Committee on Surveys.

Mr. Grim (on leave)

Read in place a bill entitled "An Ordinance to amend the proviso appended to the ordinance making an appropriation to the Guardians of the Poor for the year 1881."

Which was referred to the Committee on Finance.

Mr. O'Rourke (on leave)

Read in place a bill entitled "An Ordinance to make an appropriation to build a bridge on the line of Thompson street over Reading Railroad, in the Twenty-fifth Ward."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance to make an appropriation to grade and pave streets in the Twenty-fifth Ward."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Memphis street, from Clearfield street to Allegheny avenue, in the Twenty-fifth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Chatham street, from Clearfield street to Allegheny avenue, in the Twenty-fifth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Cedar street, from Somerset to Ann street, in the Twenty-fifth Ward."

Which was referred to the Committee on Highways.

Mr. Holeman (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps in the Twenty-fifth Ward."

Which was referred to the Committee on Gas Works.

Also (on leave),

Offered the following, to wit: "Resolution of request to the Building Inspectors, relative to frame buildings in the Twenty-fifth Ward."

Which was referred to the Committee on Police.

Mr. Simmons

Presented a petition of citizens and property owners of the Twenty-sixth Ward, for a gas lamp on Mount Holly street, between Wharton and Reed streets, in said ward.

Which was referred to the Committee on Gas Works.

Also,

Presented a petition of citizens and property owners of the Twenty-sixth Ward, for water pipe on Wilder street, between Twentieth and Twenty-first streets, in said ward.

Which was referred to the Committee on Water Works.

Mr. Rowan

Presented a petition of citizens and property owners of Twenty-fourth Ward, for a sewer on State street, between Powelton avenue and Baring street, in the said ward.

Which was referred to the Committee on Surveys.

Mr. Bardsley (on leave)

Read in place a bill entitled "An Ordinance to lay water pipe on Carlisle street, from Dauphin to Cumberland street, in the Twenty-eighth Ward."

Which was referred to the Committee on Water Works.

Also,

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for water pipe on Erie avenue, between Fifteenth and Sixteenth streets, in said ward.

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to grade Sixteenth street, from Cumberland to Huntingdon street, in the Twenty-eighth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance granting the Bell Telephone Company permission to place telegraph poles and wires on certain streets."

Which was referred to the Committee on Police and Fire-alarm Telegraph.

Also (on leave),

Read in place a bill entitled "An Ordinance to make an appropriation to Item 7 in the annual appropriation to the Clerks of Councils for the year 1881."

Which was referred to the Committee on Finance.

Mr. Beaver (on leave)

Read in place a bill entitled "An Ordinance to lay water pipe on North College avenue, from Twenty-third to Twenty-fourth street, in the Twenty-ninth Ward."

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to construct a sewer on Twenty-third street to Ingersoll street, in the Twenty-ninth Ward."

Which was referred to the Committee on Surveys.

Mr. McCormick (on leave)

Read in place a bill entitled "An Ordinance to locate gas lamps in the Thirtieth Ward."

Which was referred to the Committee on Gas Works.

Mr. Catanach

Presented memorial of citizens and charitable associations of the City of Philadelphia, for the appointment of suitable persons for Guardians of the Poor. (*Appendix No. 11.*)

Which was read, and laid on the table.

Mr. Clay,

Chairman of the Committee on Finance, presented a report, with a bill annexed, entitled "An Ordinance to authorize a transfer from Item 19 in the annual appropriation to the Department of City Commissioners for the year 1881, to certain items in the annual appropriation to the Board of Health for same year." (*Appendix No. 12.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to approve the contract and surety of James Deehan, for the construction of the extension of the Mill Creek Sewer." (*Appendix No. 13.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance authorizing the extinguishment of a certain yearly ground-rent of fifty-six dollars." (*Appendix No. 14.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance making an appropriation to the Commissioners of Fairmount Park of a sum of money now in the City Treasury, as a special fund for Park purposes." (*Appendix No. 15.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a resolution annexed, entitled "Resolution to discharge the Committee on Finance from the consideration of the petition of the Home for Aged Men and Women, on Harrowgate lane." (*Appendix No. 16.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Also,

From the same Committee, a further report, with a resolution annexed, entitled "Resolution to discharge the Com-

mittee on Finance from the consideration of an ordinance to pay for paving intersection of Germantown avenue and Fourth street, and also in front of the burial-ground at Gaul and Vienna streets, and for constructing a sewer on Germantown avenue." (*Appendix No. 17.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Also,

From the same Committee, reporting back "An Ordinance to make an appropriation to the Board of Public Education for repairs to the Weccacoe School, and for payment of teachers' salaries in the First Ward," with the request that it be referred to the Committee on Schools.

Which was so referred.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the surrender of the official bond of Wm. Nelson West, City Solicitor." (*Appendix No. 18.*)

Which was laid over to be printed.

Also,

A further report from the same Committee, with a bill annexed, entitled "An Ordinance to make an appropriation to carry into effect the ordinance entitled 'An Ordinance regulating the salary of the City Solicitor,' approved March 28, 1881." (*Appendix No. 18½.*)

Also (by unanimous consent, the bill being printed),

Moved to proceed to second reading of the bill.

Which was agreed to.

The first and only section was then read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Bement, Carlin, Carpenter, Catanach, Claghorn, Clay, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Flanagan, Foster, Gallagher, Gardy, Govett, Grace, Grim, Hall, Henry, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Miller, Millick, Moran, Morris, Myers, Neveling, O'Rourke, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Ryan, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—75.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Rex,

Chairman of the Committee on Surveys, presented a report, with a bill annexed, entitled "An Ordinance to authorize the extension of Hart Creek sewer, in the Twenty-fifth Ward." (*Appendix No. 19.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the construction of a sewer across Fiftieth street at Vine street, in the Twenty-fourth Ward." (*Appendix No. 20.*)

Which was referred to the Committee on Finance.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the construction of sewers on Brown, Twenty-second, Collins, Twenty-fifth, Perot, Carlton, Cherry, Sixth, Barclay, Powell, Owen, Morris, Somerset, Mill, Indiana, Baker, and Vine streets." (*Appendix No. 21.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to repeal so much of the ordinance entitled 'An Ordinance to authorize the construction of sewers on Fitzwater, Shackamaxon, and Lambert streets,' approved the 7th day of February, 1881, as relates to Shackamaxon street." (*Appendix No. 22.*)

Which was laid over to be printed.

Also,

From the same Committee, reporting back an ordinance to authorize the construction of a sewer across Twentieth street on the line of Herman street, in the Twenty-eighth Ward, with the request that it be referred to the Committee on Finance.

Which was so referred.

Also,

From the same Committee, reporting back resolution of instruction to the Chief-Engineer and Surveyor, relative to

the remaining portion of West Cohocksink sewer, with the request that it be referred to the Committee on Finance.

Which was so referred.

Also,

From the same Committee, a further report, with a resolution annexed, entitled "Resolution discharging the Committee on Surveys from the further consideration of applications for sewers on Inquirer and Eighth streets." (*Appendix No. 23.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Hollingsworth,

Chairman of the Committee on Law, of Common Council, presented a report, with a resolution annexed, entitled "Resolution to appoint a Special Committee to inquire as to the eligibility of Michael O'Rourke as member of Common Council from the Twenty-fifth Ward." (*Appendix No. 24.*)

The resolution was again read.

Mr. Bardsley

Moved that the resolution be indefinitely postponed.

On agreeing to the motion,

The yeas and nays were required by Mr. Rowan, seconded by Mr. Ruhl, and were as follows:

YEAS—Messrs. Bardsley, Bement, Carlin, H. C. Dunlap, Edwards, Flanagan, Foster, Govett, Grace, Grim, Hall, Hetrick, Hoffman, Irvine, Iseminger, Jefferis, Levi, McCully, Millick, Moran, Patton, Peterson, Rowan, Ryan, Showaker, U. C. Smith, Sorber, Strickland, and Tasker—29.

NAYS—Messrs. G. W. Allen, Beaver, Bonsall, Carpenter, Catanach, Claghorn, Collins, G. W. Conrad, G. T. Conrade,

Cross, Currie, Donaldson, W. Dunlap, Durham, Gardy, Griffiths, Henry, Herse, Holeman, Hollingsworth, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, Merklee, Miller, Morris, Myers, Neveling, O'Rourke, Reed, Rex, Ruhl, Shallcross, Shegog, Simmons, C. K. Smith, Spear, Steen, Stringfellow, Vanderslice, Van Dusen, Wallace, Weichselbaum, and Lex, *Pres't*—47.

Which was not agreed to.

The resolution was agreed to.

The title was agreed to.

The President

Appointed Messrs. Miller, Griffiths, Maloney, Myers, Shegog, Reinstine, and Foster the Committee.

Select Council informed Common Council that they had received a report from the Committee on City Property, with bill No. 7 annexed, entitled "An Ordinance approving the plans and specifications for the improvement of Washington Square," which they had passed.

Also,

That they had passed a resolution entitled "Resolution of instruction to the Chief Commissioner of Highways, relative to repairing streets in the Twenty-ninth Ward."

Also,

That they had passed a resolution entitled "Resolution of request to the Fire Commissioners, relative to the battery of Parrott guns belonging to the City, now in charge of the Keystone Battery."

Also,

That they had passed a resolution entitled "Resolution of instruction to the City Solicitor to obtain possession of a certain piece of ground, and to make titles to the purchase of a portion thereof."

Also,

That they had passed a resolution entitled "Resolution of instruction to the Chief Commissioner of Highways, relative to the macadamizing of Washington avenue."

Also,

That they had passed a resolution entitled "Resolution of request to the Park Commissioners to grant the use of a certain triangular piece of ground within the Park limits."

Also,

That they had passed a resolution entitled "Resolution of instruction to the Chief-Engineer and Surveyor, relative to laying tracks on South street bridge."

Also,

That they had passed a resolution entitled "Resolution instructing the Chief Commissioner of Highways to notify the Frankford and Southwark Passenger Railway Company to repair Kensington avenue, in the Twenty-fifth Ward."

Council proceeded to second reading of bill from Select Council, No. 7, entitled "An Ordinance approving the plans and specifications for the improvement of Washington Square."

The first and only section was twice read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Bement, Carpenter, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap,

Durham, Edwards, Flanagan, Foster, Gardy, Govett, Griffiths, Grim, Hall, Herse, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Mlilick, Moran, Morris, Myers, Neveling, O'Rourke, Peterson, Reinstine, Rowan, Ruhl, Ryan, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Weichselbaum, and Lex, *Pres't*—69.

Nays—Mr. Catanach—1.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Also,

Proceeded to second reading of resolution from Select Council entitled "Resolution of request to the Fire Commissioners, relative to the battery of Parrott guns belonging to the City, now in charge of the Keystone Battery."

The resolution was again read.

Mr. Rowan

Moved that the resolution be referred to the Committee on Fire Department of Select Council.

Which was agreed to.

Also,

Proceeded to second reading of resolution from Select Council entitled "Resolution of Instruction to the Chief Commissioner of Highways, relative to repairing streets in the Twenty-ninth Ward."

The resolution was again read.

Mr. Iseminger

Moved to amend to include the Second Ward.

Which was agreed to.

The question being on the resolution as amended,

Mr. Clay

Moved to amend by striking out the "wards," and inserting "the City of Philadelphia."

Which was agreed to.

The resolution as amended was agreed to.

The title was read.

Mr. Clay

Moved to amend by striking out the words "Twenty-ninth Ward," and inserting "City of Philadelphia."

Which was agreed to.

The title as amended was agreed to.

So Common Council concurred with amendments.

Also,

Proceeded to second reading of resolution from Select Council entitled "Resolution of Instruction to the Chief Commissioner of Highways, relative to the macadamizing of Washington avenue.

The resolution was again read.

Mr. Clay

Moved that the resolution be referred to the Committee on Highways of Common Council.

Which was agreed to.

Also,

Proceeded to second reading of resolution from Select Council entitled "Resolution of instruction to the City Solicitor to obtain possession of a certain piece of ground, and to make title to the purchase of a portion thereof."

The resolution was again read.

Mr. Peterson

Moved that the resolution be referred to the Committee on Law of Common Council.

Which was not agreed to.

The resolution was agreed to.

The title was agreed to.

So Common Council concurred.

Also,

Proceeded to second reading of resolution from Select Council entitled "Resolution of request to the Park Commission to grant the use of a certain triangular piece of ground within the Park limits."

The resolution was again read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

Proceeded to second reading of resolution from Select Council entitled "Resolution of instruction to the Chief-

Engineer and Surveyor, relative to laying tracks on South Street Bridge."

The resolution was again read, and agreed to.

The preambles were agreed to.

The title was agreed to.

So Common Council concurred.

Also

Proceeded to second reading of resolution from Select Council entitled "Resolution instructing the Chief Commissioner of Highways to notify the Frankford and Southwark Passenger Railway Company to repair Kensington avenue, in the Twenty-fifth Ward."

The resolution was again read.

Mr. Van Dusen

Moved that the resolution be postponed for the present.

On agreeing to the motion,

The yeas and nays were required by Mr. O'Rourke, seconded by Mr. Grace, and were as follows:

YEAS—Messrs. Bonsall, Carpenter, Craig, Davis, Edwards, Flanagan, Govett, Millick, O'Rourke, Shegog, Showaker, Spear, Van Dusen, and Wallace—14.

NAYS—Messrs. G. W. Allen, Beaver, Bement, Claghorn, Clay, Collins, G. T. Conrade, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Foster, Grace, Griffiths, Grim, Hoffman, Iseminger, Kauffman, McCully, Miller, Moran, Morris, Myers, Peterson, Reed, Rex, Ruhl, Shallcross, Simmons, C. K. Smith, U. C. Smith, Sorber, Stringfellow, Tasker, Vanderslice, and Lex, *Pres't*—37.

Which was not agreed to.

The resolution was agreed to.

The title was agreed to.

So Common Council concurred.

Select Council informed Common Council that they had concurred in the following, to wit:

"Resolution to discharge the Committee on Finance from the consideration of the petition of the Home for Aged Men and Women, on Harrowgate lane."

"Resolution to discharge the Committee on Finance from the consideration of an ordinance to pay for paving intersections of Germantown avenue and Fourth street, and also in front of the burial ground at Gaul and Vienna streets, and for constructing a sewer on Germantown avenue."

"Resolution to discharge the Committee on Surveys and Regulations from the further consideration of applications for sewers on Inquirer and Eighth streets."

Mr. Hall

Moved that Council adjourn.

Which was agreed to.

And Council adjourned.

Thursday, May 5, 1881.

Council met. Members present—

Messrs. G. W. Allen,
Bardsley,
Beaver,
Bement,
Bonham,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Faunce,
Foster,
Gardy,
Govett,
Grace,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,

Messrs. Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Moran,
Morris,
Myers,
Neveling,
O'Rourke,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Ryan,
Schneider,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Stringfellow,
Vanderslice,
Van Dusen,
Wallace,
Weichselbaum,
Young,
Lex, *Pres't.*

The President

Presented a communication from the Survey Department, showing the condition of the appropriation to the Department of Surveys, April 30, 1881. (*Appendix No. 25.*)

Also,

Presented a communication from the Philadelphia Maritime Exchange, submitting a list of nominations for Port Wardens. (*Appendix No. 26.*)

Also,

Presented a communication from the Board of Health, calling the attention of Councils to a resolution passed by the Board of Health, March 8, 1881, relative to a change in the wording of the ordinance making an appropriation to the Board for 1881, so as to permit the Board to do work at the expense of the street cleaning and garbage contractors when they fail to perform their duties.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the City Solicitor, relative to the consolidation of the American Union Telegraph Company with the Western Union and the Atlantic and Pacific Telegraph Companies. (*Appendix No. 27.*)

The communication was read.

Mr. Miller

Moved that it be referred to the Superintendent of Police and Fire-Alarm Telegraph.

Which was agreed to.

The President

Presented a communication from the Commissioners of Fairmount Park, asking for a transfer in their annual appro-

priation, for the purpose of building a new stone bridge upon Agricultural avenue, in the West Park.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Chief Commissioner of Highways, relative to the construction of a sewer on Morton street, in the Twenty-second Ward." (*Appendix No. 28.*)

Which was referred to the Committee on Law.

Also,

Presented a communication from the Chief Commissioner of Highways, submitting a statement of the condition of the appropriation to the Department of Highways to May 1, 1881. (*Appendix No. 29.*)

Also,

Presented a communication from the Chief Commissioner of Highways, submitting an estimate of the cost of repairs to South street bridge. (*Appendix No. 30.*)

Which was referred to the Committee on Finance.

Also,

Presented a petition of the patentee of an underground telegraph conductor, asking permission to open Market street, from Delaware river to the Public Buildings, for the purpose of practically testing the merits of his invention.

Which was referred to the Committee on Police and Fire-alarm Telegraph.

Mr. Spear (on leave)

Offered the following, to wit: "Resolution of instruction to the Chief Commissioner of Highways, relative to Moyamensing avenue."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to grade Juniata and Jarvis streets, in the First Ward."

Which was referred to the Committee on Highways.

Mr. Lowenstein

Presented a petition for a gasoline lamp in Vincent street, above Green street, in the Eleventh Ward.

Which was referred to the Committee on Gas Works.

Mr. Reinstine

Presented a petition for a gas lamp on the south end of Orchard street, and one on Green street, above Fourth street, south side, in the Twelfth Ward.

Which was referred to the Committee on Gas Works.

Mr. Peterson

Presented a petition of citizens and owners of property in the Fifteenth Ward, for water pipe on Carlton street, between Seventeenth and Eighteenth streets, in said ward.

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to regulate the deposits of the City Treasurer."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance for the sale of the Philadelphia Gas Works."

Which was referred to the Committee on Finance.

Mr. Irvine (on leave)

Read in place a bill entitled "An Ordinance to authorize the paving of Twenty-fifth street, between Brown and Poplar streets, in the Fifteenth Ward."

Which was referred to the Committee on Highways.

Mr. Clay

Presented a memorial of citizens and property owners of the City, requesting Councils to elect proper men as Guardians of the Poor.

Mr. Faunce (on leave)

Read in place a bill entitled "An Ordinance to locate gas lamps in the Eighteenth Ward."

Which was referred to the Committee on Gas Works.

Mr. Showaker

Presented a petition of the journeyman bricklayers employed in the Water Department, asking for an increase in their pay.

Which was referred to the Committee on Water Works.

Mr. Grace

Presented a petition of citizens and property owners of the Twentieth Ward, to reduce the width of Delhi street, between Diamond street and Susquehanna avenue, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twentieth Ward, to change the location of the gas lamp from the southeast corner to the southwest corner of Park avenue and Diamond street, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Weichselbaum

Presented a petition of citizens and property owners of the Twentieth Ward, for a sewer on Warnock street, between Girard avenue and Thompson street, in said ward.

Which was referred to the Committee on Surveys.

Mr. Wallace (on leave)

Read in place a bill entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Freeland avenue, from Shur's lane to Penn street, in the Twenty-first Ward.'"

Which was referred to the Committee on Highways.

Also,

Presented a remonstrance of citizens and property owners of the Twenty-first Ward, against the construction of a sewer on Baker street, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and owners of property in the Twenty-first Ward, for water pipe on Martin street, Roxborough, in said ward.

Which was referred to the Committee on Water Works.

Mr. Edwards

Presented a petition of citizens and property owners of the Twenty-second Ward, for the grading of Johnson street, from Musgrove street to Chew street, in said ward.

Which was referred to the Committee on Highways.

Mr. Rex (on leave)

Offered the following, to wit: "Resolution of instruction to the Committee on Water Works, relative to making a

transfer for the purchase of a new boiler for the Chestnut Hill Works."

Which was referred to the Committee on Water Works.

Mr. Henry (on leave), by direction of the Committee on Police,

Offered the following, to wit: "Resolution of request to the Committee on Finance to make an appropriation for the purpose of lighting Chestnut street with electric lights."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance to allow the Keystone Horseshoe Company to erect a frame building."

Which was referred to the Committee on Police.

Also (on leave),

Offered the following, to wit: "Resolution of request to the Chairman of the Committee on Finance to draw an ordinance to relieve those taxpayers who have been defrauded by the Assistant Deputy Receiver of Taxes." (*Appendix No. 31.*)

The resolution was twice read, and agreed to.

The preamble was agreed to.

The title was agreed to.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Wisteria avenue, from Wakefield to Miller streets."

Which was referred to the Committee on Highways.

Mr. Hall

Presented a petition of citizens and owners of property in the Twenty-fourth Ward, for water pipe on Downing street, in said ward.

Which was referred to the Committee on Water Works.

Also,

Presented a petition of citizens and property owners of the Twenty-fourth Ward, to grade Downing street, in said ward.

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to prevent obstructions at the intersection of streets, lanes, or avenues, in the City of Philadelphia."

Which was referred to the Committee on Police.

Mr. Jones

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for water pipe on Kershaw avenue, between Fifty-first and Fifty-second streets, in said ward.

Which was referred to the Committee on Water Works.

Mr. Reed (on leave)

Read in place a bill entitled "An Ordinance to locate gas and gasoline lamps in the Twenty-fifth Ward."

Which was referred to the Committee on Gas Works.

Mr. Holeman

Presented a petition of citizens and property owners of the Twenty-fifth Ward, relative to the condition of Germantown avenue, north of Somerset street, in said ward.

Which was referred to the Committee on Highways.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to the Committee on Police, to inquire into the condition of the sub-station at Bridesburg, Twenty-fifth Ward."

Which was referred to the Committee on Police.

Mr. O'Rourke

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer on Marston street, between Jefferson and Oxford streets, in the Twenty-ninth Ward."

Which was referred to the Committee on Surveys.

Also (on leave)

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer on Frankford avenue, from the south side of Clearfield street to Gunner's Run, in the Twenty-fifth Ward."

Which was referred to the Committee on Surveys.

Mr. Simmons

Presented a petition of citizens and property owners of the Twenty-sixth Ward, for a gas lamp on Richardson street, between Reed and Ellsworth streets, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Stringfellow (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps on Thirty-third street, in the Twenty-sixth Ward."

Which was referred to the Committee on Gas Works.

Mr. Rowan (on leave)

Read in place a bill entitled "An Ordinance to approve the plans submitted by the West Philadelphia Passenger

Railway Company, of a proposed extension of their road in West Philadelphia."

Which was referred to the Committee on Railroads.

Also,

Presented a petition for the erection of frame buildings at Thirtieth and Locust streets, in the Twenty-seventh Ward.

Which was referred to the Committee on Police.

Mr. Bardsley (on leave)

Read in place a bill entitled "An Ordinance to lay water pipe on Twentieth street, from Tioga street to Ontario avenue, in the Twenty-eighth Ward."

Which was referred to the Committee on Water Works.

Also,

Presented a petition of citizens and property owners of the Twenty-eighth Ward, to grade Clearfield street, between Broad and Fifteenth streets, in said ward.

Which was referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners in the Twenty-eighth Ward, for water pipe on Fifteenth street, between Allegheny avenue and Indiana street, in said ward.

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance granting the Bankers' and Merchants' Telegraph Company permission to place telegraph poles and wires on certain streets."

Which was referred to the Committee on Police and Fire-Alarm Telegraph.

Mr. Vanderslice

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for the construction of a sewer on Huntingdon street, from Twenty-fourth to Twenty-seventh streets, in said ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following, to wit: "Resolution with reference to the enforcement of certain laws and ordinances." (*Appendix No. 32.*)

The resolution was twice read, and agreed to.

The preamble was agreed to.

The title was agreed to.

Also (on leave),

Offered the following, to wit: "Resolution with reference to certain nuisances." (*Appendix No. 33.*)

The resolution was twice read, and agreed to.

The preambles were agreed to.

The title was agreed to.

Also (on leave),

Read in place a bill entitled "An Ordinance for the construction of the West Cohocksink main sewer, in the Twenty-eighth Ward."

Which was referred to the Committee on Surveys.

Mr. Beaver

Presented a petition of citizens and property owners of

the City of Philadelphia, relative to paving Broad street, north of Columbia avenue, with a better pavement.

Which was referred to the Committee on Highways.

Mr. McCormick

Presented a petition of citizens and property owners of the Thirtieth Ward, for the opening of Carpenter street, west from Twenty-third street to Gray's Ferry road, in said ward.

Which was referred to the Committee on Highways.

Mr. Catanach

Presented a memorial of citizens and property owners of the City, requesting Councils to elect proper men as Guardians of the Poor.

Mr. Leithead (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps in the Thirty-first Ward."

Which was referred to the Committee on Gas Works.

Mr. Miller

Presented a memorial of citizens and property owners of the City of Philadelphia, requesting Councils to elect proper men as Guardians of the Poor.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer on Market street, from the Public Buildings to the Schuylkill River."

Which was referred to the Committee on Surveys.

Mr. Claghorn

Presented a petition of citizens and property owners of the City of Philadelphia, to have Arch street widened on the north and south lines, from the River Delaware to the Schuylkill River."

Which was referred to the Committee on Surveys.

Also,

Presented a petition for the erection of a gas lamp on the west side of Broad street, north of Walnut, in the Eighth Ward.

Which was referred to the Committee on Gas Works.

Mr. Merklee

Presented a petition of citizens and property owners of the Eleventh Ward, for the construction of a sewer on Tamarind street, in said Ward.

Which was referred to the Committee on Surveys.

Also,

Presented the opinion of the Attorney-General as to the terms on which the Peoples' Passenger Railroad Company use the tracks on Front street. (*Appendix No. 33½.*)

Which was referred to the Committee on Railroads.

Mr. Morris

Presented a memorial of the Professors of the University of Pennsylvania, requesting Councils to elect proper men as Guardians of the Poor.

Also (on leave),

Read in place a bill entitled "An Ordinance to erect a gas lamp on the east side of Twenty-third street, and on the

east side of Eleventh street, below Chestnut, in the Eighth Ward."

Which was referred to the Committee on Gas Works.

Mr. Govett (on leave)

Offered the following, to wit: "Resolution to locate gas lamps in the Seventh Ward."

Which was referred to the Committee on Gas Works.

Mr. Bonham (on leave)

Offered the following, to wit: "Resolution to appoint a Committee to inquire into the eligibility of Fire Commissioners elected by Common Council." (*Appendix No. 34.*)

The resolution was again read.

Mr. Hall

Moved to amend by substituting the following:

RESOLUTION

Vacating offices of certain Fire Commissioners.

WHEREAS, By the opinion of the City Solicitor, of May 2, 1881, James Corcoran, as a Deputy Delinquent Tax Collector, Robert C. Tittermary, as a Mercantile Appraiser, and Francis P. Haggerty, as a Tax Assessor, at the time of their election by this chamber as Fire Commissioners, were disqualified from holding the said offices under the provisions of the Ordinance of December 29, 1870, entitled "An Ordinance to create and organize a Paid Fire Department for the City of Philadelphia, and to make an appropriation therefor."

Resolved by Common Council, That the offices of Fire Commissioners, at present held by Robert C. Tittermary, James Corcoran, and Francis P. Haggerty, are hereby vacated.

The question being on substituting,

Mr. Maloney

Moved that the resolutions be referred to the Committee on Fire of Common Council.

Mr. Bardsley

Moved to amend by striking out the word "Fire," and inserting the word "Law."

On agreeing to the motion,

The yeas and nays were required by Mr. Rowan, seconded by Mr. Merklee, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Bonham, Bonsall, Carlin, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Edwards, Faunce, Foster, Govett, Grace, Hetrick, Hoffman, Holeman, Jones, Leithead, Levi, Lowenstein, Maloney, McCully, Merklee, Miller, Millick, Moran, Myers, Neveling, Peterson, Reed, Rowan, Ruhl, Ryan, Showaker, C. K. Smith, Sorber, Spear, Steen, Vanderslice, Van Dusen, Weichselbaum, and Young—47.

NAYS—Messrs. Carpenter, Catanach, Claghorn, Clay, G. W. Conrad, Durham, Grim, Hall, Hollingsworth, Irvine, Iseminger, Jefferis, McCormick, Morris, Patton, Reinstine, Rex, Shegog, Simmons, U. C. Smith, Stringfellow, Wallace, and Lex, *Pres't*—23.

Which was agreed to.

The motion as amended was agreed to.

Mr. Clay

Chairman of the Committee on Finance, presented a report, with bill annexed, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Germantown avenue, from Gorgas street to junction of the Chestnut Hill and Spring House road, in the Twenty-second Ward.'" (*Appendix No. 35.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to receive the water-rents of all National or State properties in half-yearly payments." (*Appendix No. 36.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water to make all repairs (including boiler cleaning) to works, to employ all horses and wagons or carts required, and to lay water pipe other than by contract; and also interpreting Item 21 of annual appropriation to said department." (*Appendix No. 37.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881." (*Appendix No. 38.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to amend the proviso appended to the ordinance making an appropriation to the Guardians of the Poor for the year 1881." (*Appendix No. 39.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to make an appropriation to Item 7, in the annual appropriation to the Clerks of Councils for the year 1881." (*Appendix No. 40.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize a certain transfer in the annual appropriation to the Department of Markets and City Property for the year 1881." (*Appendix No. 41.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to approve the contract and surety of Hiram A. Miller, for the erection of privies at the Kenderton School-house, in the Twenty-eighth Section." (*Appendix No. 42.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to approve the contract and sureties of Charles O'Neill, Jr., for the erection of a school-house at the southeast corner of Twenty-sixth and Jefferson streets." (*Appendix No. 43.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to make an appropriation to the Board of Public Education to pay for the erection of

privies, etc., at the Kenderton School-house, Fifteenth and Tioga streets, Twenty-eighth Ward." (*Appendix No. 44.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to make an appropriation to the Law Department, to meet the expenses of a suit against the Trustees of the Philadelphia Gas Works." (*Appendix No. 45.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with resolution annexed, entitled "Resolution to discharge the Committee on Finance from the consideration of ordinances to make an appropriation to build a bridge and grade and pave streets in the Twenty-fifth Ward." (*Appendix No. 46.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Wallace,

Chairman of the Committee on Highways, presented a report, with bill annexed, entitled "An Ordinance to authorize the paving of Collins street, from Huntingdon street to Lehigh avenue, in the Thirty-first Ward." (*Appendix No. 47.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the grading of Sedgley avenue, from York street to Lamb Tavern road, and

from Ridge avenue to Montgomery avenue, in the Twenty-eighth Ward." (*Appendix No. 48.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the grading of Davis, Aspen, and Collins streets." (*Appendix No. 49.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the grading of Sharswood street, from Twenty-fourth to Twenty-sixth street, in the Twenty-ninth Ward." (*Appendix No. 50.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the opening of Zimmerman street, from Twenty-sixth to Twenty-eighth street, in the Twenty-ninth Ward." (*Appendix No. 51.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of William Achuff." (*Appendix No. 52.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance granting permission to the

Enterprise Manufacturing Company, of Pennsylvania, to construct an underground flue or air-duct on Bodine street, south of Dauphin street." (*Appendix No. 53.*)

Which was laid over to be printed.

Mr. Rex,

Chairman of the Committee on Surveys, presented a report, with bill annexed, entitled "An Ordinance to authorize the construction of sewers on Media, Howard, and Cumberland streets." (*Appendix No. 54.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance providing for the widening of Thirtieth street, Twenty-seventh Ward." (*Appendix No. 55.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize a topographical survey of parts of the Twenty-first and Twenty-second Wards." (*Appendix No. 56.*)

Which was laid over to be printed.

Mr. McCormick,

Chairman of the Committee on Prisons, presented a report on memorial in relation to the selection of Guardians of the Poor. (*Appendix No. 57.*)

Which was laid over to be printed.

Mr. Hall,

Chairman of the Committee on Fire Department of Common Council, presented a report, reporting back resolution from Select Council entitled "Resolution of request to the Fire Commission, relative to the battery of Parrott guns belonging to the City, now in charge of the Keystone Battery," with a request that it be referred to the Committee on City Property of Common Council.

Which was so referred.

Mr. Miller,

Chairman of the Joint Special Committee on Accommodations for Councils in the new Public Buildings, presented a report, with resolution annexed, entitled "Resolution to discharge the Joint Special Committee on Accommodations for Councils in the new Public Buildings from the consideration of the subject." (*Appendix No. 58.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Hall (on leave)

Offered the following, to wit: "Resolution to appoint a Joint Special Committee to reorganize the Fire Department." (*Appendix No. 59.*)

The resolution was twice read, and agreed to.

The title was agreed to.

The President

Appointed Messrs. Hall, Irvine, Henry, Grim, and Iseminger the Committee on the part of Common Council.

Mr. Clay

Moved to proceed to second reading of bill No. 12, entitled "An Ordinance to authorize a transfer from Item 19, in the

annual appropriation to the Department of City Commissioners for the year 1881, to certain items in the annual appropriation to the Board of Health for same year."

Which was agreed to.

The first and only section was again read.

Mr. Rowan'

Moved to amend by striking out: "To Item 11, for pay of vaccine physicians for vaccinating hereafter, three thousand nine hundred (3,900) dollars."

On agreeing to the motion,

The yeas and nays were required by Mr. Iseminger, seconded by Mr. Showaker, and were as follows:

YEAS—Messrs. Carpenter, H. C. Dunlap, Edwards, Merklee, Rowan, Weichselbaum, and Lex, *Pres't*—7.

NAYS—Messrs. G. W. Allen, Bardsley, Bement, Bonham, Carlin, Catanach, Clay, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, W. Dunlap, Durham, Faunce, Govett, Grace, Hall, Henry, Herse, Hoffman, Irvine, Iseminger, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Miller, Millick, Moran, Morris, Myers, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Vanderslice, Van Dusen, Wallace, and Young —55.

Which was not agreed to.

The question recurring on agreeing to the first and only section,

It was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

Yeas—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Carlin, Carpenter, Catanach, Clay, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Foster, Govett, Grace, Henry, Herse, Hoffman, Irvine, Iseminger, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Miller, Millick, Morris, Myers, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Ryan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Stringfellow, Vanderslice, Van Dusen, Wallace, Young, and Lex, *Pres't*—57.

Nays—Messrs. Holeman and Merklee—2.

Less than two-thirds of those elected having voted in the affirmative,

It was not agreed to.

And the bill fell.

Mr. Clay

Moved to proceed to second reading of bill No. 14, entitled "An Ordinance authorizing the extinguishment of a certain yearly ground-rent of fifty-six dollars."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

Yeas—Messrs. G. W. Allen, Beaver, Bement, Catanach, Clay, Craig, Cross, Davis, Donaldson, H. C. Dunlap, Durham, Edwards, Faunce, Govett, Grace, Hall, Henry, Herse, Hoff-

man, Holeman, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, McCormick, McCully, Merklee, Moran, Myers, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Schneider, Shegog, Showaker, C. K. Smith, U. C. Smith, Spear, Steen, Stringfellow, Vanderslice, Van Dusen, Wallace, Weichselbaum, Young, and Lex, *Pres't*—51.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 15, entitled "An Ordinance making an appropriation to the Commissioners of Fairmount Park of a sum of money, now in the City Treasury, as a special fund for Park purposes."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Carpenter, Clay, G. T. Conrade, Craig, Cross, Davis, H. C. Dunlap, Durham, Edwards, Grace, Hall, Henry, Herse, Hoffman, Holeman, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Millick, Moran, Myers, Peterson, Reed, Rex, Ruhl, Ryan, Schneider, Shegog, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, String-

fellow, Vanderslice, Van Dusen, Wallace, Weichselbaum, and Lex, *Pres't*—48.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 18, entitled "An Ordinance to authorize the surrender of the official bond of William Nelson West, City Solicitor."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Catanach, Clay, Cross, H. C. Dunlap, Durham, Edwards, Govett, Grace, Hall, Henry, Herse, Hoffman, Holeman, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Moran, Myers, O'Rourke, Peterson, Reed, Reinstine, Rex, Ruhl, Ryan, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Stringfellow, Van Dusen, Wallace, Weichselbaum, Young, and Lex, *Pres't*—48.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Peterson

Moved that Council do now adjourn.

Which was not agreed to.

Mr. Rex

Moved to proceed to second reading of bill No. 19, entitled "An Ordinance to authorize the extension of Hart Creek Sewer, in the Twenty-fifth Ward."

Which was agreed to.

Also,

Moved that the bill be referred to the Committee on Finance.

Which was agreed to.

Also,

Moved to proceed to second reading of bill No. 21, entitled "An Ordinance to authorize the construction of sewers on Brown, Twenty-second, Collins, Twenty-fifth, Perot, Carlton, Cherry, Sixth, Barclay, Powell, Owen, Morris, Somerset, Mill, Indiana, Baker, and Vine streets."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Bonham, Bonsall, Carlin, Catanach, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Durham, Edwards, Faunce, Govett, Grace, Hall, Henry, Herse, Hoffman, Holeman, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Morris, O'Rourke, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Ryan, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Stringfellow, Vanderslice, Van Dusen, Weichselbaum, Young, and Lex, *Pres't*—59.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 22, entitled "An Ordinance to repeal so much of the ordinance entitled 'An Ordinance to authorize the construction of sewers on Fitzwater, Shackamaxon, and Lambert streets,' approved the seventh day of February, 1881, as relates to Shackamaxon street."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Bonham, Carlin, Carpenter, Catanach, G. T. Conrade, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Foster, Govett, Grace, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Miller, Millick, Moran, Morris, O'Rourke, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Ryan, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Stringfellow, Vanderslice, Van Dusen, Weichselbaum, Young, and Lex, *Pres't*—54.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Select Council informed Common Council that they had received a report from the Committee on Railroads, with bill No. 20 annexed, entitled "An Ordinance to authorize the Peoples' Passenger Railway Company to put in turn-tables," which they had passed.

Also,

That they had received a report from the Committee on Water Works, with bill No. 19 annexed, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water to lay water pipe upon Taylor, Wilcox, Ashmead, Hedge, Bridge, Geiss, and Tulip streets, and to lay a 12-inch main on Broad street," which they had passed.

Also,

From the same Committee, a further report, with resolution annexed, entitled "Resolution to discharge the Committee on Water Works from the consideration of bill to repeal an ordinance authorizing water pipe on Harlan street," which they had passed.

Also,

That they had received a report from the Committee on Boiler Inspection, with resolution annexed, entitled "Resolution to discharge the Committee on Boiler Inspection from the consideration of the bill entitled 'An Ordinance requiring the inspection of range and bath boilers,'" which they had passed.

Also,

That they had passed resolution entitled "Resolution of instruction to the City Solicitor to commence suit against the Passenger Railway Companies failing to comply with the notice to place the streets through which they pass in repair."

Also,

That they had concurred in bill from Common Council (Appendix No. 18½) entitled "An Ordinance to make an appropriation to carry into effect the ordinance entitled 'An Ordinance regulating the salary of the City Solicitor,' approved March 28, 1881," with the following amendment: By adding to the end of the first and only section the following: "*Provided*, That after the expiration of the term of the present City Solicitor the said salary shall not exceed the sum of ten thousand (10,000) dollars per year."

The amendment was read.

On concurring in the amendment,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Bement, Bonsall, Carpenter, Catanach, Clay, G. T. Conrade, Craig, Currie, Donaldson, H. C. Dunlap, Durham, Edwards, Foster, Hall, Hoffman, Holeman, Irvine, Iseminger, Jones, Leithead, McCormick, McCully, Miller, Millick, Moran, Myers, O'Rourke, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith,

Spear, Steen, Stringfellow, Van Dusen, Weichselbaum, Young, and Lex, *Pres't*—47.

NAYS—Mr. Morris—1.

A majority of those elected having voted in the affirmative,

It was agreed to.

So Common Council concurred in Select Council's amendment.

Council proceeded to second reading of Select Council bill No. 20, entitled "An Ordinance to authorize the People's Passenger Railway Company to put in turn-tables."

The first and only section was again read.

Mr. Iseminger

Moved to amend by adding the following: "*Provided*, That the fare shall not be more than five cents."

Mr. Henry

Moved that the bill be postponed for the present.

Which was agreed to.

The President

Presented the following communication:

Philadelphia, April 27, 1881.

WM. HENRY LEX, ESQ.,
President of Common Council.

DEAR SIR:—Please accept this as my resignation from the Committee on Fire.

Very respectfully, yours,

H. C. DUNLAP.

Also,

Presented the following communication:

Philadelphia, April 27, 1881.

WM. HENRY LEX, ESQ.,
President of Common Council.

SIR:—Please accept this as my resignation from the Committee on Schools. Thanking you kindly, I remain

Yours, respectfully,
MOSES LEVI,
Fourth Ward.

Also,

Appointed Mr. Dunlap on the Committee on Schools and Mr. Levi on the Committee on Fire Department, to fill vacancies.

Select Council informed Common Council that they had concurred in the following, to wit:

"Resolution with reference to certain nuisances."

"Resolution with reference to the enforcement of certain laws and ordinances."

Also,

In the amendment of Common Council to resolution from Select Council entitled "Resolution of instruction to the Chief Commissioner of Highways, relative to repairing streets in the Twenty-ninth Ward."

Mr. Rowan

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Thursday, May 19, 1881.

Council met—Members present:

Messrs. Allen, G. W.,
Allen, P. A.,
Bardsley,
Beaver,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Faunce,
Flanagan,
Foster,
Gallagher,
Gardy,
Govett,
Grace,
Greger,
Grim,
Hall,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,
Kauffman,
Messrs. Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Moran,
Morris,
Myers,
Neveling,
O'Rourke,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Ryan,
Schneider,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Strickland,
Stringfellow,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Weichselbaum,
Young,
Lex, *Pres't.*

The President

Presented a communication from the Chief-Engineer and Surveyor, relative to the trestle-work on the approach to South street bridge. (*Appendix No. 60.*)

Also,

Presented a communication from the Commissioners of Fairmount Park, for the removal of water mains about the East Park reservoir. (*Appendix No. 61.*)

Which was referred to the Committee on Water Works.

Also,

Presented a communication from the Philadelphia Maritime Exchange, relative to nominations for Port Wardens. (*Appendix No. 62.*)

Also,

Presented a communication from the Board of Health, for the curbing and paving of Kent street, from Twenty-third to Twenty-fifth street, Seventh Ward.

Which was referred to the Committee on Highways.

Also,

Presented a communication from the Committee on Paving and Cleaning streets of the Citizens' Executive Committee of One Hundred, relative to the contract for the repaving of Market street, from Broad street to the Schuylkill river, with Belgian blocks. (*Appendix No. 63.*)

Also,

Presented a communication from the Chief Commissioner of Highways, transmitting correspondence between him and the City Solicitor in regard to the responsibility of the West Philadelphia Passenger Railway Company for the repaving of Market street with Belgian blocks. (*Appendix No. 64.*)

Which was referred to the Committee on Highways.

Also,

Presented a communication from Dr. Gross, for a gas lamp at the corner of Eleventh and Walnut streets.

Which was referred to the Committee on Gas Works.

Mr. Rowan (on leave)

Offered the following, to wit: "Resolution to meet in Joint Convention to elect Port Wardens, and Trustees of the Northern Liberties Gas Works." (*Appendix No. 65.*)

The resolution was twice read, and agreed to.

The title was agreed to.

The President

Presented a communication from the Inspectors of the Philadelphia County Prison, in regard to acceptance of lot of ground for site for New County Prison on House of Correction grounds. (*Appendix No. 66.*)

Mr. Grace (on leave)

Offered the following, to wit: "Resolution to approve the site for New County Prison on House of Correction grounds."

The resolution was again read.

Mr. Peterson

Moved that it be referred to the Committee on House of Correction.

Mr. Iseminger

Moved to amend to add "and Committee on Prisons."

Which was agreed to.

The motion as amended was agreed to.

The President

Presented a communication from the Board of Health, in regard to the prevalence of the small-pox. (*Appendix No. 67.*)

Mr. Spear (on leave)

Read in place a bill entitled "An Ordinance to build a sewer on Dudley street from Ninth street to Eighth street, and on Eighth street from Dudley street, to connect with sewer ordered to be built."

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to Committee on Schools, in regard to the heating apparatus in Weccacoe School-house."

Which was referred to the Committee on Schools.

Mr. McCully (on leave)

Offered the following, to wit: "Resolution of instruction to the Committee on Police, in regard to Second District Station-house."

Which was referred to the Committee on Police.

Mr. Govett

Presented a petition of citizens and property owners of the Thirtieth Ward, for a sewer on South street, between Broad and Fifteenth streets, in said ward.

Which was referred to the Committee on Surveys.

Mr. Hollingsworth (on leave)

Read in place a bill entitled "An Ordinance appropriating ground for public purposes."

Which was referred to the Committee on Finance.

Mr. Morris

Presented a petition of citizens and property owners of the Eighth ward, for the removal of fountains in Rittenhouse Square, in said ward.

Which was referred to the Committee on City Property.

Mr. Donaldson

Presented a petition of citizens and property owners of the Ninth Ward, for a larger water main on Chestnut street, between Ninth and Tenth streets, in said ward.

Which was referred to the Committee on Water Works.

Mr. Patton

Presented a petition of citizens and property owners of the Tenth Ward, for the repaving of Arch street, between Seventh and Tenth streets, with Belgian block pavement.

Which was referred to the Committee on Highways.

Mr. Claghorn (on leave)

Read in place a bill entitled "An Ordinance instructing the Chief Commissioner of Highways to compel Fulton, Walker & Co. to remove obstructions from the streets."

Which was referred to the Committee on Highways.

Also (on leave),

Offered the following, to wit: "Resolution to construct a sewer on Green street, between Ninth and Tenth streets."

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following: "Resolution of request to the Committee on Finance to report an ordinance making an appropriation for paving around Logan Square with Belgian blocks."

Which was referred to the Committee on Finance.

Mr. Clay (on leave)

Read in place a bill entitled "An Ordinance to make an appropriation to pay the interest on the funded debt of the City of Philadelphia falling due on the first day of July, 1881."

Which was referred to the Committee on Finance.

Also,

Presented a petition of the congregation of St. Peter's church, Fifth street and Girard avenue, for the removal of the market sheds on Girard avenue, between Lawrence and Randolph streets.

Which was referred to the Committee on City Property.

Also (on leave),

Offered the following, to wit: "Resolution relative to the adjournment of Councils." (*Appendix No. 68.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Irvine (on leave)

Read in place a bill entitled "An Ordinance to construct a sewer on Union street, between Sycamore and Aspen streets, in the Twenty-fourth Ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to lay water pipe on Brown, Parrish, Twenty-first, and Norwood streets, in the Fifteenth Ward."

Which was referred to the Committee on Water Works.

Mr. Gardy (on leave)

Read in place a bill entitled "A Supplement to an ordinance entitled 'An Ordinance to authorize the opening of Beach street, from Otis street to Rush street, in the Eighteenth Ward,' approved December 8, 1880."

Which was referred to the Committee on Highways.

Mr. P. A. Allen (on leave)

Read in place a bill entitled "An Ordinance to locate fire-alarm boxes in the Eighteenth Ward."

Which was referred to the Committee on Police and Fire-alarm Telegraph.

Mr. Grace (on leave)

Read in place a bill entitled "An Ordinance authorizing the construction of a bridge across Water street, south of Walnut street."

Which was referred to the Committee on Police.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to the Chief-Engineer of the Water Department, for removal of fire-plug."

Which was referred to the Committee on Water Works.

Mr. Wallace

Presented a remonstrance of property owners of the Twenty-first Ward against the laying of water pipe on Hipple's lane, in said Ward.

Which was referred to the Committee on Water Works.

Also,

Presented a petition of citizens of the Twenty-first Ward,

for the opening and grading of Woodvale Terrace (now Kalos street) and Manayunk avenue, in said Ward.

Which was referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners of the Twenty-first Ward, for a drain on Gay street, in said Ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twenty-first Ward, for the paving of Wabash avenue, in said Ward.

Which was referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners of the Twenty-first Ward, for the grading of Pechin street, from Green lane to Martin street, in said Ward.

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to grade Pechin street, from Green lane to Martin street, in the Twenty-first Ward."

Which was referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners of the Twenty-first Ward, for the grading of Ridge avenue, from Gorgas lane to Prospect street, in said ward.

Which was referred to the Committee on Highways.

Mr. Flanagan

Presented a petition of citizens and property owners of the Twenty-first Ward, for water pipe on Fountain street, in said ward.

Which was referred to the Committee on Water Works.

Mr. Edmunds (on leave)

Read in place a bill entitled "An Ordinance to revise the lines of Gorgas street, between Germantown avenue and Chew street, in the Twenty-second Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to place Ploud street, in the Twenty-second Ward, upon the plan of the City.'"

Which was referred to the Committee on Surveys.

Mr. Rex

Presented a remonstrance of citizens and property owners of the Twenty second Ward, against the construction of a sewer on Chelton avenue, in said ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the opening of 'Sixty-ninth avenue north,' from old York road to North Pennsylvania Railroad, in the Twenty-second Ward," accompanied with petition of citizens and property owners for said opening.

Which were referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners of the Twenty-sixth and Thirtieth Wards, for a change of the line of Ellsworth street, in said wards.

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following, to wit: "Resolution of request to the City Solicitor, relative to municipal claims." (*Appendix No. 69.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Jones (on leave)

Read in place a bill entitled "An Ordinance to locate a gasoline lamp on Franklin street, Twenty-fourth Ward."

Which was referred to the Committee on Gas Works.

Also,

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for a sewer on Lancaster avenue, between Fifty-first and Fifty-second streets, in said ward.

Which was referred to the Committee on Surveys.

Mr. Kauffman (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps in the Twenty-fifth Ward."

Which was referred to the Committee on Gas Works.

Also,

Presented a petition of the citizens and property owners of the Twenty-fifth Ward, for a gasoline lamp at the corner of Fairhill and Somerset streets, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Reed

Presented a petition of citizens and property owners of the Twenty-fifth Ward, for a sewer on Fairhill street, between Lehigh avenue and Cambria street, in said ward.

Which was referred to the Committee on Surveys.

Mr. O'Rourke (on leave)

Read in place a bill entitled "An Ordinance authorizing the Chief Commissioner of Highways to notify the owners of property through which Kip street and Clearfield street will pass, that the same will be required for public use."

Which was referred to the Committee on Highways.

Mr. Steen (on leave)

Read in place a bill entitled "An Ordinance to replace a trunk, and open a ditch or drain in the Twenty-sixth Ward."

Which was referred to the Committee on Highways.

Mr. Stringfellow (on leave)

Read in place a bill entitled "An Ordinance to locate a gas lamp in the Twenty-sixth Ward."

Which was referred to the Committee on Gas Works.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to the Chief Commissioner of Highways, to notify the Twelfth and Sixteenth Streets Passenger Railway Company to repair streets in the Twenty-sixth Ward." (*Appendix No. 70.*)

The resolution was twice read, and agreed to.

The preamble was agreed to.

The title was agreed to.

Mr. Rowan (on leave)

Read in place a bill entitled "An Ordinance to prevent the erection of bay and oriel windows."

Which was referred to the Committee on Police.

Also,

Presented a petition of the citizens and property owners of the Twenty-sixth Ward, for the opening of Pollock street, in said ward.

Which was referred to the Committee on Highways.

Mr. Bardsley (on leave)

Read in place a bill entitled "An Ordinance to lay water pipe in Carlisle street, from Dauphin to Cumberland street, in the Twenty-eighth Ward."

Which was referred to the Committee on Water Works.

Also,

Presented a communication from the Trustees of the City Ice Boats, in reference to the $30,000 required to fit Ice Boat No. 1 for duty next season.

Which was referred to the Committee on Finance.

Mr. Vanderslice (on leave)

Read in place a bill entitled "An Ordinance to grant permission to Isaac Fox to erect a temporary frame building and stable upon his premises, west side of Islington lane, between Twenty-fourth and Twenty-fifth streets."

Which was referred to the Committee on Police.

Also (on leave),

Read in place a bill entitled "An Ordinance to grade Eleventh street, from Indiana to Clearfield street."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to construct a sewer on east side of Twentieth street, from Montgomery to Berks street, in the Twenty-eighth Ward."

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for a sewer on Seventeenth street, north from Ontario street, in said ward.

Which was referred to the Committee on Surveys.

Mr. Myers (on leave)

Read in place a bill entitled "An Ordinance for a sewer on Park avenue, between Twenty-first and Twenty-second streets, in the Twenty-eighth Ward."

Which was referred to the Committee on Surveys.

Mr. Herse

Presented a petition of citizens and property owners of the Twenty-ninth Ward, for a gas lamp on Carlisle, Sixteenth, and Nicholas streets, in said ward.

Which was referred to the Committee on Gas Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to construct a sewer on Stiles street, from Fifteenth to Sixteenth street, in the Twenty-ninth Ward."

Which was referred to the Committee on Surveys.

Mr. Miller (on leave)

Read in place a bill entitled "An Ordinance supplementary to an ordinance regulating the salary of the City Solicitor."

Which was referred to the Committee on Law.

Also (on leave),

Read in place a bill entitled "An Ordinance for water pipe on Collins street, from Huntingdon street to Lehigh avenue, in the Thirty-first Ward."

Which was referred to the Committee on Water Works.

Mr. Carpenter (on leave)

Read in place a bill entitled "An Ordinance to change the name of St. Mary street."

Which was referred to the Committee on Surveys.

Mr. Bardsley

Moved that Council proceed to the nomination and election of a Trustee of the City Ice Boats.

Which was agreed to.

The President

Declared nominations in order.

Mr. Bardsley

Nominated Galloway C. Morris.

Also,

Moved that he be elected by acclamation.

Which was agreed to,

And Galloway C. Morris was declared unanimously elected a Trustee of the City Ice Boats for the ensuing term.

Mr. McCormick (on leave)

Offered the following, to wit: "Resolution of instruction to the Chief Commissioner of Highways, relative to repair of streets."

The resolution was again read.

Mr. Rowan

Moved that it be referred to the Committee on Highways, with instructions to report at the next meeting.

Which was agreed to.

Mr. Moran

Presented the following communication :

Philadelphia, May 12, 1881.

To the President and Members
of Common Council.

GENTLEMEN :—The City Solicitor having decided that the offices of Tax Assessor and Fire Commissioner are incompatible, I hereby tender you my resignation as a member of the Board of Fire Commissioners.

Yours, respectfully,
F. P. HAGGERTY.

Mr. Hetrick

Moved that Council proceed to the nomination and election of a member of the Board of Fire Commissioners, for unexpired term of F. P. Haggerty, resigned.

Which was agreed to.

The President

Declared nominations to be in order.

Mr. Hoffman

Nominated William F. McCully.

Mr. Rowan

Moved that he be elected by acclamation.

Which was unanimously agreed to,

And William F. McCully was declared unanimously elected a member of the Board of Fire Commissioners for the unexpired term of F. P. Haggerty, resigned.

Council proceeded to second reading of Resolution from Select Council, No. 37, entitled "Resolution to discharge the Committee on Boiler Inspection from the consideration of the bill entitled 'An Ordinance requiring the inspection of range and bath boilers.'"

The resolution was again read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

Proceeded to second reading of Resolution from Select Council, No. 41, entitled "Resolution of instruction to the City Solicitor to commence suit against the passenger railway companies failing to comply with the notice of the Chief Commissioner of Highways to place the streets through which they pass in repair."

The resolution was again read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

Proceeded to second reading of bill from Select Council, No. 19, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water to lay water pipe upon Taylor, Wilcox, Ashmead, Hedge, Bridge, Geiss, and Tulip streets, and to lay a twelve-inch main on Broad street."

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Beaver, Carlin, Catanach, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Cross, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Foster, Gallagher, Govett, Grace, Greger, Grim, Herse, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Morris, Myers, Neveling, O'Rourke, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Ryan, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—69.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to,

And the bill passed.

So Common Council concurred.

Mr. Bardsley

Moved to resume second reading of bill from Select Council, No. 20, entitled "An Ordinance to authorize the Peoples' Passenger Railway Company to put in turn-tables."

The question being on agreeing to the following amendment, viz., by adding the following: "*Provided*, That the fare shall not be more than five cents."

Mr. Dunlap

Moved to amend the amendment by striking out all after the word "provided," and inserting "they sell five tickets for twenty-five cents, entitling to be good for five rides."

Which was not agreed to.

The question recurring on agreeing to the amendment,

It was agreed to.

The section as amended was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Catanach, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Govett, Grace, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Levi, Lowenstein, McCormick, McCully, Merklee, Miller, Moran, Morris, Neveling, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Ryan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Stringfellow, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—70.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred with the amendment.

Select Council informed Common Council that they had passed a resolution of inquiry concerning the right of the Fifth and Sixth Streets Railway Company to close up the

bridge over Frankford creek, in the Twenty-third and Twenty-fifth Wards.

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

That they had received a report from the Committee on Water Works, with bill No. 33 annexed, entitled "An Ordinance to lay water pipe upon Percy, Jefferson, Levering, and Sharswood streets, and Ridge avenue," which they had passed.

Council proceeded to second reading of the bill.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Carpenter, Catanach, Claghorn, Clay, Collins, G. W. Conrad, Craig, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Faunce, Flanagan, Govett, Grace, Greger, Grim, Hall, Herse, Hoffman, Holeman, Irvine, Iseminger, Jones, Kauffman, Lowenstein, Maloney, McCormick, McCully, Miller, Moran, Morris, Myers, Neveling, O'Rourke, Patton, Peterson, Reed, Rex, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—64.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Mr. Merklee, seconded by Mr. Holeman,

Moved to reconsider the vote on the final passage of the bill No. 12, entitled "An Ordinance to authorize a transfer from Item 19, in the annual appropriation to the Department of City Commissioners for the year 1881, to certain items in the annual appropriation to the Board of Health for same year."

On agreeing to the motion,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Carpenter, Catanach, Claghorn, Clay, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Govett, Grace, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Myers, Neveling, O'Rourke, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Schneider, Shegog, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—71.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

The question being on the final passage of the bill,

Mr. Bardsley

Moved that Council resolve itself into the Committee of the Whole for the purpose of amendment.

Which was agreed to.

Council resolved itself into Committee of the Whole, Mr. Irvine in the Chair.

After some time the Committee arose and reported the bill, with the following amendments:

Amend the first and only section by striking out the words and figures "six thousand three hundred and twenty (6,320) dollars," and inserting the words and figures "two thousand four hundred and twenty (2,420) dollars;" also by striking out the words and figures, "to Item 11, 'for pay of vaccine physicians for vaccinating hereafter,' three thousand nine hundred (3,900) dollars."

The question being, Will Council agree to the report of the Committee?

It was agreed to.

The question being on the final passage of the bill.

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Claghorn, Clay, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Flanagan, Grace, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Morris, Myers, Neveling, O'Rourke, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland,

Stringfellow, Vanderslice, Van Dusen, Wallace, Webster, Young, and Lex, *Pres't*—67.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

JOINT CONVENTION.

The members of Select Council being introduced, and the Select and Common Councils being assembled in Joint Convention,

Mr. Smith, President of Select Council, in the chair,

Who announced that the Chambers had assembled for the purpose of electing eight members of the Board of Port Wardens, and one member for unexpired term of A. A. Catanach, resigned; also, two Trustees of the Northern Liberties Gas Works, and one for the unexpired term of A. F. Moore, resigned, and announced that nominations were now in order for the election of eight members of the Board of Port Wardens, and one member for unexpired term.

Also,

Presented communications from the Board of Trade, Philadelphia Maritime Exchange, and Commercial Exchange, nominating the following persons for the office of Port Wardens:

Francis R. Cope, William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, Philip Fitzpatrick, P. A. Decan, E. Turley, Henry May, Thomas B. Wattson, Theo. Frothingham, William D. Winsor, Isaac Hough, John H. Michener, and W. W. Steel.

A ballot was had, the Clerks acting as tellers, who reported that 108 votes were cast; of which

Select Council,

Messrs. Albright, Brooke, Bumm, Evans, Glass, Hammett, Houseman, Mullen, Parker, Patton, Roney, and Shotwell—11,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, John B. Lewellen, and Samuel J. Christian for unexpired term.

Messrs. Gates, and Smith, *Pres't*—2,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, Francis R. Cope, and Theo. Frothingham for unexpired term.

Mr. Bickel—1,

Voted for Philip Fitzpatrick, John B. Lewellen, Wm. R. Tucker, William Howell, Jr., and Edward K. Stevenson.

Mr. Blair—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, and Francis R. Cope.

Mr. Copeland—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, and John B. Lewellen.

Mr. Cuming—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, George Russell, Philip Fitzpatrick, John B. Lewellen, and S. J. Christian for unexpired term.

Mr. Gilbert—1,

Voted for John B. Lewellen, William R. Tucker, Wm. Howell, Jr., William Taggart, Edward K. Stevenson, and S. J. Christian for unexpired term.

Messrs. Green and Halterman—2,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, John B. Lewellen, and Theo. Frothingham for unexpired term.

Mr. Martin—1,

Voted for William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, John B. Lewellen, and S. J. Christian for unexpired term.

Messrs. McCullough and Reyburn—2,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, and S. J. Christian for unexpired term.

Mr. McMullen—1,

Voted for Philip Fitzpatrick, John B. Lewellen, Wm. Taggart, and S. J. Christian for unexpired term.

Mr. Monroe—1,

Voted for Francis R. Cope and Philip Fitzpatrick.

Mr. Snowden—1,

Voted for Francis R. Cope, Philip Fitzpatrick, George Russell, William D. Winsor, W. W. Steel, and Theodore Frothingham for unexpired term.

Common Council,

Messrs. G. W. Allen, P. A. Allen, Beaver, Collins, Craig, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Govett, Herse, Jones, Leithead, Lowenstein, Miller, Millick, Reed, Schneider, Shallcross, Shegog, Showaker, C. K. Smith, Vanderslice, Tasker, Van Dusen, Webster, Spear, Rowan, and Young—30,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, John B. Lewellen, and S. J. Christian for unexpired term.

Messrs. Catanach, Durham, Faunce, Flanagan, Grace, Greger, Hall, Kauffman, McCormick, Myers, Patton, Peterson, Steen, Wallace, Weichselbaum—15,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, John B. Lewellen, and Theo. Frothingham for unexpired term.

Messrs. Bonsall and O'Rourke—2,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, John B. Lewellen, and Theo. Frothingham for unexpired term.

Mr. Carlin—1,

Voted for Philip Fitzpatrick, John B. Lewellen, and Theo. Frothingham for unexpired term.

Mr. Carpenter—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Francis R. Cope, Joseph S. Elwell, John B. Lewellen, Henry May, and Theo. Frothingham for unexpired term.

Mr. Claghorn—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, William D. Winsor, William Taggart, George Russell, and Francis R. Cope.

Mr. Clay—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, Philip Fitzpatrick, and Theo. Frothingham for unexpired term.

Mr. G. W. Conrad—1,

Voted for Joseph S. Keen, Jr., William Taggart, John B. Lewellen, and Philip Fitzpatrick.

Mr. G. T. Conrade—2,

Voted for Henry May, William R. Tucker, Joseph S. Keen, Jr., Joseph S. Elwell, George Russell, John B. Lewellen, Philip Fitzpatrick, and William Taggart.

Mr. Davis—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Philip Fitzpatrick, William Taggart, George Russell, and John B. Lewellen.

Messrs. Edwards, Irvine, Maloney, Rex, Simmons, and Stringfellow—6,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, Francis R. Cope, and Theo. Frothingham for unexpired term.

Messrs. Foster and Reinstine—2,

Voted for William Taggart, George Russell, John B. Lewellen, Philip Fitzpatrick, and Theo. Frothingham for unexpired term.

Mr. Bardsley—1,

Voted for William Howell, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, and S. J. Christian for unexpired term.

Mr. Gallagher—1,

Voted for William Howell, Jr., William Taggart, John B. Lewellen, and S. J. Christian for unexpired term.

Mr. Grim—1,

Voted for William Taggart, Philip Fitzpatrick, John B. Lewellen, and Theo. Frothingham for unexpired term.

Mr. Hetrick—1,

Voted for Philip Fitzpatrick, William Taggart, George Russell, John B. Lewellen, and S. J. Christian for unexpired term.

Messrs. Hoffman and Holeman—2,

Voted for William Taggart, John B. Lewellen, Philip Fitzpatrick, and Theo. Frothingham for unexpired term.

Mr. Iseminger—1,

Voted for William R. Tucker, George Russell, Wm. Taggart, and Philip Fitzpatrick.

Mr. Levi—1,

Voted for Philip Fitzpatrick, William Taggart, Geo. Russell, and S. J. Christian for unexpired term.

Mr. McCully—1,

Voted for Philip Fitzpatrick, William Taggart, John B. Lewellen, and Theo. Frothingham for unexpired term.

Mr. Merklee—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, Philip Fitzpatrick, John B. Lewellen, and S. J. Christian for unexpired term.

Mr. Moran—1,

Voted for Philip Fitzpatrick, William R. Tucker, Jos. S. Elwell, Edward K. Stevenson, and John B Lewellen.

Messrs. Morris, U. C. Smith, and Hollingsworth—3,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, and Theo. Frothingham for unexpired term.

Mr. Neveling—1,

Voted for William R. Tucker, Joseph S. Keen, Jr., Joseph S. Elwell, William Taggart, George Russell, John B. Lewellen, and S. J. Christian for unexpired term.

Mr. Strickland—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, Philip Fitzpatrick, George Russell, John B. Lewellen, and S. J. Christian for unexpired term.

Mr. Ruhl—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, George Russell, William D. Winsor, and Theo. Frothingham for unexpired term.

Mr. Ryan—1,

Voted for Philip Fitzpatrick, George Russell, William Taggart, John B. Lewellen, William R. Tucker, and S. J. Christian for unexpired term.

Mr. Lex (President)—1,

Voted for William R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, Wm. Taggart, George Russell, Philip Fitzpatrick, and Theo. Frothingham for unexpired term.

William R. Tucker received 93 votes.

William Howell, Jr., received 90 votes.

Joseph S. Keen, Jr., received 89 votes.

Edward K. Stevenson received 89 votes.

Joseph S. Elwell received 87 votes.

William Taggart received 99 votes.

George Russell received 91 votes.

John B. Lewellen received 85 votes.

Philip Fitzpatrick received 24 votes.

Francis R. Cope received 13 votes.

William D. Winsor received 3 votes.

Henry May received 2 votes.

W. W. Steele received 1 vote.

For unexpired term.

S. J. Christian received 56 votes.

Theo. Frothingham received 42 votes.

Messrs. Wm. R. Tucker, William Howell, Jr., Joseph S. Keen, Jr., Edward K. Stevenson, Joseph S. Elwell, William Taggart, and George Russell, having received a majority of the votes cast, were duly elected members of the Board of Port Wardens for the ensuing term.

The President

Stated that although John B. Lewellen and Samuel J. Christian had received a majority of the votes cast, they were not duly elected, because they had not been nominated in accordance with the ordinance of December 31, 1878.

Mr. Rowan (of Common Council)

Moved that the Convention proceed to the nomination and election of two Trustees of the Northern Liberties Gas Works for the full term, and one Trustee to fill a vacancy.

Which was agreed to.

Nominations being in order,

Also,

Nominated Charles M. Wagner and Edwin H. Fitler for full term, and

Mahlon H. Dickinson for the vacancy.

Also,

Moved that they be elected by acclamation.

Which was agreed to.

And Messrs. Charles M. Wagner and Edwin H. Fitler were declared duly elected Trustees of the Northern Liberties Gas Works for the full term, and Mahlon H. Dickinson to fill the vacancy.

Mr. Snowden (of Select Council)

Offered the following, to wit:

Resolved by the Joint Convention of Select and Common Councils of the City of Philadelphia, That it is unwise and contrary to the true principles of municipal government to elect by this Convention any persons to office who are the nominees of a political caucus.

Which was not agreed to.

Mr. Rowan (of Common Council)

Moved that the Convention do now adjourn.

Which was agreed to.

And the Convention adjourned, and the Select Council retired.

Mr. Clay,

Chairman of the Committee on Finance, presented a report, with bill annexed, entitled "An Ordinance to provide for lighting Chestnut street, from the Delaware to the Schuylkill River, with electric lights." (*Appendix No. 71.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance taking possession of the Philadelphia Gas Works for the use of the City, and providing for the care and management thereof." (*Appendix No. 72.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to make certain transfers from the annual appropriation to the Fire Department for 1879, and the City Commissioners for 1881, to the annual appropriation to the Fire Department for 1881." (*Appendix No. 73.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize repairs to be made to the South Street Bridge." (*Appendix No. 74.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize a certain transfer in the annual appropriation to the Commissioners of Fairmount Park for the year 1881." (*Appendix No. 75.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to provide relief to the taxpayers who have been defrauded by the late Assistant Deputy Receiver of Taxes." (*Appendix No. 76.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the City Solicitor to mark satisfied of record one of two bonds given by John Zeh, principal, and Thomas McLaughlin, surety, for five hundred (500) dollars." (*Appendix No. 77.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to make an appropriation to the Department of Highways, Bridges, and Sewers, for the year 1881,' approved December 31, 1880." (*Appendix No. 78.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to make an appropriation to the Board of Health for the year 1881,' Items 46 and 49, relating to street cleaning." (*Appendix No. 79.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bills annexed, entitled "An Ordinance to authorize the construction of a sewer across Fifteenth street, at Vine street, in the Twenty-fourth Ward." (See bill Common Council Appendix No. 20, page 31.) Also, an ordinance to authorize the extension of the West Cohocksink sewer, in the Twenty-eighth Ward. (*Appendix No. 80.*)

Which was laid over to be printed.

Mr. Wallace,

Chairman of the Committee on Highways, presented a report, with bill annexed, entitled "An Ordinance to authorize the opening of Fifty-second street, from Market street to Girard avenue, in the Twenty-fourth Ward." (*Appendix No. 81.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to repeal part of an ordinance, approved July 5, 1877, entitled 'An Ordinance to revise the lines of Fifty-second street, between Race and Vine streets.'" (*Appendix No. 82.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the opening of Tasker street, from Passyunk avenue to Twelfth street, in the Twenty-sixth Ward." (*Appendix No. 83.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Freeland avenue, from Shur's lane to Penn street, in the Twenty-first Ward.'" (*Appendix No. 84.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the paving of Twelfth street and Union street." (*Appendix No. 85.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance for the prevention and removal of drainage over footways and streets." (*Appendix No. 86.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of Cunningham & McNichol." (*Appendix No. 87.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with resolution annexed, entitled "Resolution discharging the Committee on Highways from the further consideration of an ordinance relative to grading and paving footways." (*Appendix No. 88.*)

Which was laid over to be printed.

Mr. Rex,

Chairman of the Committee on Surveys, presented a report, with bill annexed, entitled "An Ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward." (*Appendix No. 89.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the construction

of sewers on Fitzwater, Thirty-third, Twenty-third, Ingersoll, Garnet, Myrtle, State, and McKean streets." (*Appendix No. 90.*)

Which was laid over to be printed.

Mr. Rowan,

From the Committee on Police, presented a report, with bill annexed, entitled "An Ordinance to grant permission to E. A. Corbin and J. P. Birch to erect a frame shed on their wharf property, at the northeast corner of Thirtieth and Locust streets, in the Twenty-seventh Ward." (*Appendix No. 91.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to grant permission to construct or build a bulk or oriel window at 805 North Broad street." (*Appendix No. 92.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, reporting back an ordinance to repair or rebuild police station-house of Second District, with a request that it be referred to the Committee on Finance.

Which was so referred.

Mr. Hall (on leave)

Presented a communication from the Board of Fire Commissioners, in reference to the small supply of water for fire purposes. (*Appendix No. 93.*)

Which was read.

Mr. Rowan

Moved that it be referred to the Committee on Water, of Common Council, with instructions to report at the next meeting.

Which was agreed to.

Mr. Hollingsworth,

Chairman of the Committee on Law of Common Council, presented a report, with a resolution annexed, entitled "Resolution declaring vacant the offices of certain Fire Commissioners." (*Appendix No. 94.*)

The resolution was twice read, and agreed to.

The preambles were agreed to.

The title was agreed to.

Mr. Bardsley

Moved that when Council adjourn it be to meet on Thursday next, the 26th inst., at three o'clock P. M.

Which was agreed to.

Mr. Miller,

Chairman of the Special Committee appointed to inquire into the right of Michael O'Rourke to hold his seat in Common Council, presented a report, with resolution annexed, entitled "Resolution adjudging and determining the seat of Michael O'Rourke vacant." (*Appendix No. 95.*)

Mr. Clay

Moved that it be postponed and made the special order for next Thursday afternoon at four o'clock.

Which was agreed to.

Mr. Miller

Moved that Council do now adjourn.

On agreeing to the motion,

The yeas and nays were required by Mr. Miller, seconded by Mr. Merklee, and were as follows:

YEAS—Messrs. P. A. Allen, Bonsall, Carlin, Donaldson, Herse, Kauffman, Lowenstein, Miller, Reed, and Van Dusen —10.

NAYS—Messrs. G. W. Allen, Bardsley, Beaver, Carpenter, Catanach, Claghorn, Clay, G. W. Conrad, Craig, Davis, H. C. Dunlap, W. Dunlap, Durham, Faunce, Foster, Govett, Grace, Greger, Grim, Hall, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Leithead, Levi, McCormick, McCully, Merklee, Millick, Moran, Morris, Neveling, O'Rourke, Patton, Peterson, Rex, Rowan, Ryan, Schneider, Showaker, Simmons, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Vanderslice, Young, and Lex, *Pres't*—53.

Which was not agreed to.

Mr. Clay

Moved to proceed to second reading of bill No. 42, entitled "An Ordinance to approve the contract and surety of Hiram A. Miller, for the erection of privies at the Kenderton Schoolhouse, in the Twenty-eighth Section."

Which was agreed to.

The first section was again read.

Also,

Moved to amend by striking out the name of "Hiram Miller," and inserting the name of "Wilber F. Miller."

Which was agreed to.

The section as amended was agreed to.

The second section was again read.

Also,

Moved to amend by striking out all after the word "said," and adding the following: "Wilber F. Miller to all that certain lot or piece of ground situate on the west side of Camac street, 157 feet northward from the north side of Berks street, in the Twenty-eighth Ward (No. 1,920), containing in front on Camac street fifteen feet six inches, and in depth sixty-seven feet."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

And the bill was laid over to print the amendments.

Also,

Moved to proceed to the second reading of Bill No. 13, entitled "An Ordinance to approve the contract and surety of James Deehan, for the construction of the extension of the Mill Creek sewer."

Which was agreed to.

The first section was again read.

Also,

Moved to amend by inserting after the words "Hamilton street," the words and figures "1920 Rochforth street."

Which was agreed to.

The section as amended was agreed to.

Ths second section was again read, and agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Mr. Rowan

Moved that the rules be suspended requiring Council to adjourn at seven o'clock.

Which was agreed to.

Mr. Bardsley

Moved to proceed to second reading of bill No. 37, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water to make all repairs (including boiler cleaning) to works; to employ all horses and wagons or carts required; and to lay water pipe other than by contract; and also interpreting Item 21 of the annual appropriation to said department."

Which was agreed to.

The first section was again read.

Also,

Moved to amend by striking out the words "*Provided*, That ditching and cleaning of boilers shall be done by contract after July 15, 1881."

Mr. Clay

Moved to strike out "of boilers," add after 1881, "and the boilers shall be cleaned by the firemen of the various works."

On agreeing to the motion,

The yeas and nays were required by Mr. Clay, seconded by Mr. Iseminger, and were as follows:

YEAS—Messrs. Catanach, Clay, G. W. Conrad, Durham, Grim, Hall, Hollingsworth, Irvine, Iseminger, McCully, Moran, Rex, U. C. Smith, Strickland, Stringfellow, Wallace, and Lex, *Pres't*—17.

NAYS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Claghorn, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Faunce, Govett, Greger, Herse, Hoffman, Holeman, Jones, Kauffman, Lowenstein, Merklee, Millick, Neveling, Peterson, Reed, Rowan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, Spear, Steen, Tasker, Vanderslice, Van Dusen, and Young —41.

Which was not agreed to.

The question recurring on the motion to strike out,

The yeas and nays were required by Mr. Irvine, seconded by Mr. Moran, and were as follows :

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Faunce, Govett, Grace, Greger, Herse, Hoffman, Holeman, Jones, Kauffman, Lowenstein, Merklee, Millick, Neveling, Reed, Rowan, Schneider, Shegog, Showaker, C. K. Smith, Spear, Steen, Vanderslice, and Young—37.

NAYS—Messrs. Catanach, Claghorn, Clay, G. W. Conrad, Durham, Grim, Hall, Hollingsworth, Irvine, Iseminger, Maloney, McCormick, McCully, Moran, Morris, Patton, Peterson, Rex, Simmons, U. C. Smith, Strickland, Stringfellow, Van Dusen, Wallace, and Lex, *Pres't*—25.

Which was agreed to.

The section as amended was agreed to.

The second section was again read, and agreed to.

The third section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Faunce, Foster, Govett, Grace, Greger, Herse, Hoffman, Holeman, Hollingsworth, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCully, Merklee, Millick, Neveling, O'Rourke, Reed, Rowan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, Spear, Steen, Vanderslice, Van Dusen, and Young—46.

NAYS—Messrs. Catanach, Claghorn, Clay, G. W. Conrad, Durham, Grim, Hall, Iseminger, Moran, Morris, Patton, Peterson, Rex, U. C. Smith, and Lex, *Pres't*—15.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Hollingsworth

Presented the following reasons for his vote on the above bill :

In voting for this ordinance, I desire to state my reasons. When the ordinance was called up, it was stated that the appropriations provided for were absolutely needed, and needed at once. The proviso attached to the ordinance relates, *not* to the disposition of the present appropriation, but to the *future* conduct of the Water Department. It has been defeated.

While I have supported it, I think to vote against an immediately necessary appropriation, because desirable legislation, tacked on to it, has been defeated, would be obstructive, and for these reasons I vote for the ordinance.

Select Council informed Common Council that they had concurred in the following, to wit :

"An Ordinance to authorize a transfer from Item 19, in the annual appropriation to the Department of City Com-

missioners for the year 1881, to certain items in the annual appropriation to the Board of Health for same year." (No. 12.)

"An Ordinance authorizing the extinguishment of a certain yearly ground-rent of fifty-six (56) dollars." (No. 14.)

"An Ordinance making an appropriation to the Commissioners of Fairmount Park of a sum of money, now in the City Treasury, as a special fund for Park purposes." (No. 15.)

"An Ordinance to authorize the surrender of the official bond of William Nelson West, City Solicitor." (No. 18.)

"An Ordinance to authorize the construction of sewers on Brown, Twenty-second, Collins, Twenty-fifth, Perot, Carlton, Cherry, Sixth, Barclay, Powell, Owen, Morris, Somerset, Mill, Indiana, Baker, and Vine streets." (No. 21.)

"An Ordinance to repeal so much of the ordinance entitled 'An Ordinance to authorize the construction of sewers on Fitzwater, Shackamaxon, and Lambert streets,' approved the 7th day of February, 1881, as relates to Shackamaxon street." (No. 22.)

"Resolution to discharge the Committee on Finance from the consideration of ordinances to make an appropriation to build a bridge, and grade and pave streets in the Twenty-fifth Ward." (No. 46.)

"Resolution to discharge the Joint Special Committee on Accommodations for Councils in the New Public Buildings from the consideration of the subject." (No. 58.)

"Resolution to appoint a Joint Special Committee to reorganize the Fire Department." (No. 59.)

And had appointed Messrs. Cuming, Halterman, McCullough, Albright, and Monroe the Committee on the part of Select Council.

"Resolution relative to the adjournment of Councils."

"Resolution of instruction to the Chief Commissioner of Highways to notify the Twelfth and Sixteenth Streets Passenger Railway Company to repair streets in the Twenty-sixth Ward."

"Resolution of request to the City Solicitor, relative to municipal claims."

"Resolution to meet in Joint Convention to elect Port Wardens and Trustees of the Northern Liberties Gas Works."

Also,

That they had concurred in the amendment of Common Council to Select Council bill No. 20, entitled "An Ordinance to authorize the Peoples' Passenger Railway Company to put in turn-tables."

Also,

That Mr. Martin had been appointed on the Committee on Prisons, to fill a vacancy.

Mr. Wallace

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Thursday, May 26, 1881.

An Adjourned Stated Meeting of Common Council was held this afternoon, pursuant to adjournment.

Members present:

Messrs. Allen, G. W.,
Allen, P. A.,
Bardsley,
Beaver,
Bonham,
Bonsall,
Carlin,
Carpenter,
Catanach,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Edwards,
Faunce,
Flanagan,
Foster,
Gallagher,
Gardy,
Govett,
Grace,
Greger,
Grim,
Hall,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Moran,
Morris,
Myers,
Neveling,
O'Rourke,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Spear,
Steen,
Strickland,
Stringfellow,
Tasker,
Vanderslice,
Wallace,
Webster,
Weichselbaum,
Young,

Messrs.

Lex, *Pres't.*

The President

Presented a communication from the Chief-Engineer of the Water Department, relative to Item 24 in the annual appropriation of the Water Department. (*Appendix No. 96.*)

Which was referred to the Committee on Water Works.

Mr. Dunlap (on leave)

Read in place a bill entitled "An Ordinance to locate a gas lamp on Parrish street, between Seventh and Franklin streets, north side, in the Thirteenth Ward."

Which was referred to the Committee on Gas Works.

Mr. Peterson (on leave)

Read in place a bill entitled "An Ordinance to locate a gas lamp on Barclay street, between Broad and Fifteenth streets, in the Fifteenth Ward."

Which was referred to the Committee on Gas Works.

Mr. Clay (on leave)

Read in place a bill entitled "An Ordinance to locate a gas lamp on the south side of Girard avenue, fifty feet west of Fifth street, in the Sixteenth Ward, and one on Turner street, between Sixth and Randolph streets, in the Seventeenth Ward."

Which was referred to the Committee on Gas Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the grading of Thompson street, between Taney and Twenty-eighth streets, in the Twenty-ninth Ward."

Which was referred to the Committee on Highways.

Mr. Gardy (on leave)

Read in place a bill entitled "An Ordinance to locate a gas lamp at No. 817 East Girard avenue, in the Eighteenth Ward."

Which was referred to the Committee on Gas Works.

Mr. Weichselbaum

Moved to proceed to the nomination and election of two members of the Board of Fire Commissioners for the unexpired terms of James Corcoran and Robert C. Tittermary, whose seats had been declared vacant.

Which was agreed to.

The President

Declared nominations to be in order.

Mr. Rowan

Nominated James Corcoran for his unexpired term and Edward Furlong for the unexpired term of Robert C. Tittermary.

Whereupon a ballot was had, the Clerks acting as tellers, who reported that 63 votes had been cast, of which

Messrs. G. W. Allen, Bardsley, Bonham, Bonsall, Carlin, Carpenter, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, W. Dunlap, Edwards, Flanagan, Foster, Gardy, Govett, Grace, Greger, Hall, Hetrick, Hollingsworth, Jefferis, Jones, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Myers, Neveling, O'Rourke, Peterson, Reed, Rowan, Ruhl, Shallcross, Shegog, Showaker, C. K. Smith, Spear, Steen, Tasker, Vanderslice, Webster, Weichselbaum, and Young—55,

Voted for James Corcoran and Edward Furlong.

Messrs. Beaver, Catanach, Clay, Patton, Rex, Simmons, Van Dusen, and Lex, *Pres't*,—8,

Voted for Edward Furlong.

Total, James Corcoran 55 votes; Edward Furlong 63 votes.

James Corcoran and Edward Furlong, having received a majority of the votes cast, were declared duly elected members of the Board of Fire Commissioners for the respective unexpired terms of James Corcoran and Robert C. Tittermary.

Mr. Merklee

Presented a communication from B. F. Dutton, claiming payment for construction of a sewer on Haverford street, from Thirty-sixth to Thirty-eighth street, in the Twenty-fourth Ward.

Which was referred to the Committee on Finance.

Mr. Greger (on leave)

Read in place a bill entitled "An Ordinance directing the Chief Commissioner of Highways to repair the streets."

Which was referred to the Committee on Highways.

Mr. Wallace (on leave)

Offered the following, to wit: "Resolution to pave Kent street, in the Seventh Ward."

Which was referred to the Committee on Highways.

Also,

Read in place a bill entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Cinnaminson avenue, in the Twenty-first Ward.'"

Which was referred to the Committee on Highways.

Mr. Rex

Presented a petition of citizens and property owners of the Fifth Ward, for the construction of a sewer on Pine street, between Sixth and Seventh streets, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a remonstrance of citizens and property owners of the Third and Fourth Wards, against the construction of a sewer on Fitzwater street, between Twelfth and Thirteenth streets.

Which was referred to the Committee on Surveys.

Mr. Webster (on leave)

Read in place a bill entitled "An Ordinance relative to footwalks in the Twenty-third Ward."

Which was referred to the Committee on Highways.

Mr. Jones (on leave)

Read in place a bill entitled "An Ordinance to erect a gasoline lamp on the corner of Forty-third and Hutton streets, in the Twenty-fourth Ward."

Which was referred to the Committee on Gas Works.

Mr. Holeman (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps in the Twenty-fifth Ward."

Which was referred to the Committee on Gas Works.

Mr. Steen (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps in the Twenty-sixth Ward."

Which was referred to the Committee on Gas Works.

Mr. Rowan (on leave)

Offered the following, to wit: "Resolution of instruction to the Chief-Engineer and Surveyor to prepare a plan of the Almshouse property." (*Appendix No. 97.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Myers (on leave)

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer on Dauphin street, between Twenty-seventh and Twenty-ninth streets, in the Twenty-eighth Ward."

Which was referred to the Committee on Surveys.

Mr. Catanach

Presented a petition for an appropriation of two thousand (2,000) dollars for the alteration of mouth of Ellsworth street sewer.

Which was referred to the Committee on Finance.

Mr. Miller (on leave)

Read in place a bill entitled "An Ordinance to grade Venango street, between Myrtle street and Delaware avenue, in the Twenty-fifth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to transfer Item 26, of the annual appropriation to the Highway Department, to Items 3, 6 and 24."

Which was referred to the Committee on Finance.

Also,

Presented a petition of citizens and property owners of the Thirty-first Ward, for a sewer on York street, in said Ward.

Which was referred to the Committee on Surveys.

Mr. Spear (on leave)

Read in place a bill entitled "An Ordinance repealing an ordinance locating gas lamps on Tree and Mountain streets, in the First Ward."

Which was referred to the Committee on Gas Works.

Mr. Collins (on leave)

Read in place a bill entitled "An Ordinance to locate a gas lamp on the east side of Eighteenth street, above Wallace street, in the Fifteenth Ward."

Which was referred to the Committee on Gas Works.

Mr. Beaver (on leave)

Read in place a bill entitled "An Ordinance to construct sewers on Marsden and Harper streets, in the Twenty-ninth Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance authorizing the Chief-Engineer of the Department for Supplying the City with Water, to lay water pipe in the Municipal Hospital grounds, and to locate a fire-plug."

Which was referred to the Committee on Water Works.

Mr. Clay,

Chairman of the Committee on Finance, presented a report, with bill annexed, entitled "An Ordinance to make an appropriation to the Department for Supplying the City with Water, for the purpose of refunding certain twice paid, and over paid, and paid in error water-rents and pipe-laying bills." (*Appendix No. 98.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the Mayor to enter into a contract with Hilles & Jones, for the construction, erection, and completion of a new boiler, pipes, connections, and fittings for the Chestnut Hill Works, and providing for the payment of the same." (*Appendix No. 99.*)

Which was laid over to be printed.

Mr. Wallace,

Chairman of the Committee on Highways, presented a report, with bill annexed, entitled "An Ordinance to authorize the paving of Naudain and Twenty-sixth streets, in the Seventh Ward." (*Appendix No. 100.*)

Which was laid over to be printed.

Mr. Rex,

Chairman of the Committee on Surveys, presented a report, with bill annexed, entitled "An Ordinance to revise the lines of Gorgas street, between Germantown avenue and Chew street, in the Twenty-second Ward." (*Appendix No. 101.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to amend the ordinance entitled "An Ordinance to place Ployd street, in the Twenty-second Ward, upon the plan of the City.'" (*Appendix No. 102.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance directing a topographical survey on Plan 279, Twenty-sixth Ward." (*Appendix No. 103.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the construction of sewers on Eighth, Dudley, Green, and Emerald streets, and on Lancaster avenue." (*Appendix No. 104.*)

Which was laid over to be printed.

Mr. Clay

Moved to proceed to second reading of bill No. 40, entitled "An ordinance to make an appropriation to Item 7 in the annual appropriation to the Clerks of Councils for the year 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Bonsall, Carlin, Clay, G. W. Conrad, G. T. Conrade, Craig, Gross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Edwards, Flanagan, Foster, Gallagher, Gardy, Govett, Grace, Greger, Hetrick, Hoffman, Holeman, Hollingsworth, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Moran, Morris, Myers, Neveling, O'Rourke, Patton, Peterson, Reinstine, Rex, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—65.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 45, entitled "An Ordinance to make an appropriation to the Law Department to meet the expenses of a suit against the Trustees of the Philadelphia Gas Works."

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. Bardsley, Catanach, Clay, Collins, G. W. Conrad, W. Dunlap, Edwards, Flanagan, Foster, Gardy, Grace, Greger, Grim, Hall, Herse, Hollingsworth, Irvine, Iseminger, Leithead, Levi, Maloney, McCormick, McCully, Moran, Morris, Myers, Patton, Peterson, Reinstine, Rex, Simmons, C. K. Smith, U. C. Smith, Strickland, Vanderslice, Wallace, and Lex, *Pres't*—37.

NAYS—Messrs. Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Faunce, Govett, Hoffman, Jones, Lowenstein, Merklee, Miller, Neveling, Rowan, Shallcross, Showaker, Spear, Steen, Stringfellow, Webster, Weichselbaum, and Young—23.

Less than two-thirds of those elected having voted in the affirmative,

It was not agreed to.

And the bill fell.

Mr. Rex

Moved to proceed to second reading of bill No. 89, entitled "An Ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Beaver, Carlin, Clay, Collins, G. T. Conrade, Craig, Cross, Donaldson, H. C. Dunlap, W. Dunlap, Edwards, Flanagan, Govett, Grace, Greger, Hall, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Merklee, Miller, Millick, Moran, Morris, Neveling, O'Rourke, Patton, Peterson, Reinstine, Rex, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—59.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Clay

Moved to proceed to second reading of bill No. 41, entitled "An Ordinance to authorize a certain transfer in the

annual appropriation to the Department of Markets and City Property for the year 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonsall, Carlin, Clay, Collins, G. T. Conrade, Craig, Cross, Davis, Donaldson, H. C. Dunlap, Edwards, Flanagan, Foster, Govett, Greger, Hall, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Morris, Myers, Neveling, Peterson, Reed, Reinstine, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Weichselbaum, Young, and Lex, *Pres't*—62.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

The hour of four o'clock having arrived, Council resumed second reading of resolution No. 95, entitled "Resolution adjudging and determining the seat of Michael O'Rourke vacant," which had been made the special order for that hour.

The first resolution was again read.

Mr. Grace

Moved to substitute the following:

RESOLUTION

To postpone consideration of the report of the Special Committee as to the eligibility of Michael O'Rourke as a member of Common Council from the Twenty-fifth Ward.

WHEREAS, By proceedings of *quo warranto* brought by certain qualified voters of the Twenty-fifth Ward of the City of Philadelphia, and now pending in the Court of Common Pleas, No. 1, to March Term, 1881, No. 433, the eligibility of Michael O'Rourke to represent said ward in this body will be judicially investigated and determined.

AND WHEREAS, Due respect for said Court requires that no action of this chamber in the premises should change the status of the parties pending such investigation; therefore

Resolved, That the report and resolution of the Special Committee to inquire as to the eligibility of Michael O'Rourke as member of Common Council for the Twenty-fifth Ward be postponed until final judgment is entered upon said writ of *quo warranto*.

Mr. Hetrick

Moved that the resolution be indefinitely postponed.

Which was not agreed to.

The question recurring on substituting the above preamble and resolution,

It was not agreed to.

The first resolution was agreed to.

The second resolution was agreed to.

The title was agreed to.

Mr. Clay (on leave)

Moved to proceed to third reading of amended bill No. 42, entitled "An Ordinance to approve the contract and surety of

Hiram A. Miller, for the erection of privies at the Kenderton School-house, in the Twenty-eighth Section."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Catanach, Clay, Collins, Craig, Cross, Davis, Donaldson, Flanagan, Govett, Grace, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Morris, Myers, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—60.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 73, entitled "An Ordinance to make certain transfers from the annual appropriations to the Fire Department for 1879, and the City Commissioners for 1881, to the annual appropriation to the Fire Department for 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Clay, Collins, Craig, Cross, Davis, W. Dunlap, Faunce, Foster, Govett, Grace, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Miller, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—61.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 44, entitled "An Ordinance to make an appropriation to the Board of Public Education, to pay for the erection of privies, etc., at the Kenderton School-house, Fifteenth and Tioga streets, Twenty-eighth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Clay, Collins, Craig, Cross, Currie, Davis,

H. C. Dunlap, W. Dunlap, Flanagan, Foster, Govett, Grace, Greger, Grim, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Levi, McCormick, McCully, Merklee, Miller, Moran, Morris, Myers, Neveling, Patton, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, and Lex, *Pres't*—54.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also (on leave),

Moved to proceed to third reading of amended bill entitled "An Ordinance to approve the contract and surety of James Deehan, for the construction of the extension of the Mill Creek sewer."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Catanach, Clay, Collins, Craig, Currie, Faunce, Flanagan, Govett, Grace, Greger, Grim, Hall, Herse, Holeman, Irvine, Iseminger, Jones, Kauffman, Levi, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Myers, Neveling, Patton, Reinstine, Rex, Rowan, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Young, and Lex, *Pres't.*—51.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 36, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to receive the water-rents of all National or State properties in half-yearly payments."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. P. A. Allen, Bardsley, Beaver, Catanach, Clay, Collins, Craig, Currie, W. Dunlap, Faunce, Govett, Grace, Greger, Grim, Hall, Herse, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, McCormick, McCully, Miller, Millick, Moran, Morris, Neveling, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—51.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 39, entitled "An Ordinance to amend the proviso appended to the ordinance making an appropriation to the Guardians of the Poor for the year 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Clay, Collins, Grace, Greger, Grim, Hall, Herse, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Miller, Moran, Morris, Myers, Neveling, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, U. C. Smith, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—47.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 43, entitled "An Ordinance to approve the contract and sureties of Charles O'Neill, Jr., for the erection of a school-house at the southeast corner of Twenty-sixth and Jefferson streets."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Catanach, Clay, Currie, W. Dunlap, Govett, Grace, Greger, Grim, Herse, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Miller, Moran, Morris, Myers, Neveling, Patton, Reed, Reinstine, Rex, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—49.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Select Council informed Common Council that they had received a report from the Committee on Water Works, with a bill annexed, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water to lay water pipe upon Green and Wilder streets and North College avenue," which they had passed.

Also,

That they had received a report from the Committee on Railroads, with a bill annexed, entitled "An Ordinance im-

posing a condition upon passenger railway companies asking for additional privileges," which they had passed.

Also,

That they had received a further report from the same Committee, with a bill annexed, entitled "An Ordinance granting permission to Samuel J. Creswell to construct a certain railway track," which they had passed.

Also,

That they had received a further report from the same Committee, with a bill annexed, entitled "An Ordinance to provide for the erection of gates and maintenance of flagmen by railroad companies across streets and roads in the City of Philadelphia crossing their respective tracks at grade," which they had passed.

Also,

That they had received a report from the Committee on City Property, with a bill annexed, entitled "An Ordinance to appropriate a portion of the iron railing taken from Penn Square for a railing in front of the school-house at Quince and Pine streets," which they had passed.

Also,

That they had received a further report from the same Committee, with a bill annexed, entitled "An Ordinance appropriating so much of the iron railing taken from Penn Square as may be necessary to enclose the Penn Treaty Monument, situate in the Eighteenth Ward," which they had passed.

Also,

That they had passed a resolution for the appointment of a Special Committee to take into consideration the removal of Municipal Hospital, and had appointed Messrs. Gates, Reyburn, and Snowden the Committee on the part of Select Council.

Council proceeded to the second reading of Select Council resolution, entitled "Resolution for the appointment of a Special Committee to take into consideration the removal of Municipal Hospital."

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

And the President appointed Messrs. Vanderslice, Ruhl, and Myers the Committee on the part of Common Council.

Also,

Proceeded to the second reading of Select Council bill No. 57, entitled "An Ordinance to appropriate a portion of the iron railing taken from Penn Square for a railing in front of the school-house at Quince and Pine streets."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Bonsall, Catanach, Craig, Currie, Davis, H. C. Dunlap, Faunce, Govett, Grace, Greger, Hall, Herse, Holeman, Hollingsworth, Iseminger, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Miller, Moran, Morris, Neveling, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—50.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Also,

Proceeded to the second reading of Select Council bill No. 58, entitled "An Ordinance appropriating so much of the iron railing taken from Penn Square as may be necessary to enclose the Penn Treaty Monument, situate in the Eighteenth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Catanach, Clay, Davis, H. C. Dunlap, W. Dunlap, Faunce, Foster, Govett, Grace, Greger, Grim, Hall, Herse, Holeman, Iseminger, Leithead, Maloney, McCormick, McCully, Merklee, Miller, Moran, Morris, Myers, Neveling, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, and Lex, *Pres't*—50.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Also,

Proceeded to the second reading of Select Council bill No. 54, entitled "An Ordinance to provide for the erection of gates and maintenance of flagmen by railroad companies across streets and roads in the City of Philadelphia crossing their respective tracks at grade."

Which was agreed to.

The first section was again read.

Mr. Dunlap

Moved to amend by striking out on page 82, after the words "Willow street," the words "one at Fairmount avenue."

Which was not agreed to.

Mr. McCormick

Moved to amend by inserting on page 82, after the words "Sixteenth street," on last line, the words "and one at Twentieth street."

Which was agreed to.

Mr. Vanderslice

Moved to amend by inserting on page 82, twelfth line from bottom of page, after the words "Diamond street," the words "Susquehanna, Dauphin, York, Cumberland, and Thirteenth streets," and on page 83, sixth paragraph, third line, by striking out the words "Susquehanna avenue, Dauphin, York, and Cumberland."

Which was agreed to.

Mr. Catanach

Moved to amend by striking out on page 83, ninth line from the bottom, the word "Twentieth."

Which was agreed to.

The section as amended was agreed to.

The second section was again read, and agreed to.

The third section was again read, and agreed to.

The fourth section was again read, and agreed to.

The fifth section was again read, and agreed to.

The preambles were agreed to.

The title was agreed to.

And the bill was laid over to print the amendments.

Also,

Proceeded to the second reading of Select Council bill No. 53, entitled "An Ordinance granting permission to Samuel J. Cresswell to construct a certain railway track."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Carlin, Catanach, Clay, Craig, Davis, Foster, Govett, Grace,

Greger, Grim, Hall, Herse, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Moran, Morris, Myers, Neveling, Patton. Reed, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, Spear, Steen, Strickland, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—50.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Also,

Proceeded to the second reading of Select Council bill No. 51, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water to lay water pipe upon Green and Wilder streets and North College avenue."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Carlin, Catanach, Clay, Collins, Craig, Currie, Davis, H. C. Dunlap, W. Dunlap, Govett, Grace, Greger, Grim, Herse, Hoffman, Holeman, Hollings-

worth, Irvine, Iseminger, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Miller, Moran, Morris, Myers, Patton, Reed, Reinstine, Rex, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—49.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Mr. Shegog

Moved to proceed to second reading of bill No. 53, entitled "An Ordinance granting permission to the Enterprise Manufacturing Company of Pennsylvania to construct an underground flue or air-duct on Bodine street, south of Dauphin street."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Carlin, Catanach, Clay, Collins, Craig, Currie, Davis, H. C. Dunlap, Govett, Grace, Greger, Grim, Herse, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Miller,

Moran, Morris, Myers, Patton, Reed, Reinstine, Rex, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Tasker, Vanderslice, Wallace, Webster, Young, and Lex, *Pres't*—51.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Rex

Moved to proceed to the second reading of bill No. 55, entitled "An Ordinance providing for the widening of Thirtieth street, Twenty-seventh Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Bonsall, Carlin, Catanach, Currie, Davis, H. C. Dunlap, Govett, Grace, Greger, Grim, Hall, Herse, Hoffman, Hollingsworth, Irvine, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Miller, Moran, Morris, Myers, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Shegog, Simmons, C. K. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Young, and Lex, *Pres't*—46.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 90, entitled "An Ordinance to authorize the construction of sewers on Fitzwater, Thirty-third, Twenty-third, Ingersoll, Garnet, Myrtle, State, and McKean streets."

Which was agreed to.

The first section was again read,

Mr. Rex

Moved to amend by striking out the words, "on Fitzwater street, from Twelfth to Thirteenth street," and that it be recommitted to the Committee on Surveys.

Which was agreed to.

The first section as amended was agreed to.

The second section was again read, and agreed to.

The title was read.

Mr. Rex

Moved to amend the title by striking out the word "Fitzwater."

Which was agreed to.

The title as amended was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Carlin, Clay, Collins, Currie, Davis, H. C. Dunlap, W. Dunlap, Grace, Greger,

Hall, Herse, Hoffman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Miller, Moran, Morris, Myers, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Young, and Lex, *Pres't*—48.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Select Council informed Common Council that they had concurred in the following, to wit:

"An Ordinance to approve the contract and surety of James Deehan, for the construction of the extension of Mill Creek sewer." (No. 13.)

"An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water to make all repairs (including boiler cleaning) to works; to employ all horses and wagons and carts required; and to lay water pipe other than by contract; and also interpreting Item 21 of the annual appropriation to said department." (No. 37.)

"An Ordinance to make an appropriation to Item 7 in the annual appropriation to the Clerks of Councils for the year 1881." (No. 40.)

"An Ordinance to authorize a certain transfer in the annual appropriation to the Department of Markets and City Property for the year 1881." (No. 41.)

"An Ordinance to approve the contract and surety of Hiram A. Miller for the erection of privies at the Kenderton School-house, in the Twenty-eighth Section." (No. 42.)

"An Ordinance to make an appropriation to the Board of Public Education to pay for the erection of privies, etc., at

the Kenderton School-house, Fifteenth and Tioga streets, Twenty-eighth Ward." (No. 44.)

"An Ordinance to make certain transfers from the annual appropriations to the Fire Department for 1879, and the City Commissioners for 1881, to the annual appropriation to the Fire Department for 1881." (No. 73.)

"An Ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward." (No. 89.)

Mr. Hoffman

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Thursday, June 2, 1881.

Council met—Members present:

Messrs. Allen, G. W.,
Bardsley,
Beaver,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Faunce,
Flanagan,
Gardy,
Govett,
Grace,
Greger,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Millick,
Moran,
Morris,
Myers,
Neveling,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Ryan,
Schneider,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Strickland,
Stringfellow,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Weichselbaum,
Young,

Lex, *Pres't.*

The President

Presented a communication from the Farmers' and Mechanics' National Bank, submitting a report, showing the aggregate of the four, five, and six per cent. loans of the City, on which interest is paid by the City, as they stood January 1, 1881, and as they stand on the books at the Farmers' and Mechanics' National Bank, on June 1, 1881. (*Appendix No. 105.*)

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Philadelphia County Medical Society, relative to an appropriation for vaccination.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Survey Department, showing the condition of the appropriation to the Department of Surveys, May 31, 1881. (*Appendix No. 106.*)

Also,

Presented a communication from the Board of Health, requesting an appropriation for public vaccination and for the Municipal Hospital.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Board of Health, with a resolution annexed, relative to the condition of the West Cohocksink sewer.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the City Solicitor, submitting his opinion relative to bridge over Frankford creek,

in the Twenty-third and Twenty-fifth Wards. (*Appendix No. 107.*)

Which was referred to the Committee on Highways.

Also,

Presented a communication from renters and owners of property located on Market street, Front street, and Lancaster avenue, relative to elevated railroad on said thoroughfares. (*Appendix No. 108.*)

Which was referred to the Committee on Railroads.

Mr. Young (on leave)

Offered the following, to wit: "Resolution to meet in Joint Convention." (*Appendix No. 109.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Spear (on leave)

Offered the following, to wit: "Resolution of instruction to the Committee on Police to examine the various fountains and watering-places for horses in the City of Philadelphia."

Which was referred to the Committee on Police.

Mr. Iseminger

Presented a petition of Samuel A. Crozer, for a sewer on the line of Everett street, between Twelfth and Thirteenth streets, in the Second Ward.

Which was referred to the Committee on Surveys.

Mr. Hollingsworth (on leave)

Read in place a bill entitled "An Ordinance to authorize the Lombard and South Streets Passenger Railroad Company to extend their tracks."

Which was referred to the Committee on Railroads.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the West End, Angora, and Park Passenger Railroad Company to extend their tracks."

Which was referred to the Committee on Railroads.

Mr. Morris

Presented a communication from the Chief Commissioner of Highways, relative to branch sewers. (*Appendix No. 110.*)

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place an ordinance entitled "An Ordinance to provide for the inspection of the construction of branch sewers."

Which was referred to the Committee on Surveys.

Mr. U. C. Smith

Presented a petition of citizens and property owners of the City, for the grading of Pennsylvania avenue, from Twenty-sixth to Twenty-eighth street, on the north side.

Which was referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners of the Fifteenth Ward, for the grading of Pennock street, from Brown to Poplar street, in said ward.

Which was referred to the Committee on Highways.

Mr. Clay (on leave)

Read in place a bill entitled "An Ordinance to authorize satisfaction to be entered on the official bond of Robert E. Pattison."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize certain transfers in the annual appropriation to the Law Department for the year 1881."

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Recorder of Deeds, relative to changing an item in the annual appropriation to the Recorder of Deeds, to enable him to keep an index of corporation charters.

Which was referred to the Committee on Finance.

Mr. Hetrick

Presented a petition of citizens and property owners of the Third and Fourth Wards, for the construction of a sewer on German and Second streets, in said wards.

Which was referred to the Committee on Surveys.

Mr. Gardy (on leave)

Read in place a bill entitled "An Ordinance to authorize the erection of a gas lamp at No. 1218 Otis street, in the Eighteenth Ward."

Which was referred to the Committee on Gas Works.

Mr. Faunce (on leave)

Read in place a bill entitled "An Ordinance to locate gas and gasoline lamps in the Eighteenth Ward."

Which was referred to the Committee on Gas Works.

Mr. Schneider

Presented a petition of citizens and property owners of the Nineteenth Ward, for the erection of two gasoline lamps

on Fourth street, between Oxford street and Columbia avenue, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Weichselbaum

Presented a petition of citizens and property owners of the Fourteenth Ward, for the construction of a sewer on Inquirer street, in said Ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twentieth Ward, for the construction of a sewer on Darien street, from Poplar street to Girard avenue, in said Ward.

Which was referred to the Committee on Surveys.

Mr. Grace

Presented a petition of Isaiah L. Shoemaker, for the privilege of constructing a private drain on south side of Cumberland street, between Fairhill and Reese streets, in the Nineteenth Ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to construct a sewer on Tenth street, between Girard avenue and Thompson street."

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to the Chief Commissioner of Highways, to re-grade Warnock

street, from Montgomery avenue to Berks street, in the Twentieth Ward."

Which was referred to the Committee on Highways.

Mr. Wallace (on leave)

Offered the following, to wit: "Resolution of request to the City Controller to countersign certain warrants." (*Appendix No. 111.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Flanagan (on leave)

Read in place a bill entitled "An Ordinance to change the location of two gas lamps in the Twenty-first Ward."

Which was referred to the Committee on Gas Works.

Mr. Henry (on leave)

Read in place a bill entitled "An Ordinance to provide for issuing licenses for the sale, within the corporate limits of the City of Philadelphia, of fire-crackers, torpedoes, toy-pistols, and other similar articles used for firing salutes, etc."

Which was referred to the Committee on Police.

Mr. Rex

Presented a communication from Charles C. Schaeffer, relative to teaching Latin in the Girls' High and Normal School."

Which was referred to the Committee on Schools.

Also,

Presented a petition of citizens and property owners of the Fifth Ward, for the construction of a culvert on St. Mary street, between Sixth and Seventh streets, in said ward.

Which was referred to the Committee on Surveys.

Mr. Hall

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for the construction of a sewer on Sixty-third street, between Vine and Market streets, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for the construction of a sewer on Warren street, from Thirty-ninth street to Spring Garden street, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for water pipe on Smedley street, between Thirty-sixth and Thirty-seventh streets, in said ward.

Which was referred to the Committee on Water Works.

Mr. Steen (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps in the Twenty-sixth Ward."

Which was referred to the Committee on Gas Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to repeal an ordinance for the location of a gas lamp at northwest corner Nineteenth and Wharton streets, in the Twenty-sixth Ward."

Which was referred to the Committee on Gas Works.

Mr. Stringfellow (on leave)

Offered the following, to wit: "Resolution instructing the Chief Commissioner of Highways to notify contractors to repair certain streets in the Twenty-sixth Ward." (*Appendix No. 112.*)

The resolution was twice read, and agreed to.

The preamble was agreed to.

The title was agreed to.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to the Chief Commissioner of Highways to notify the Union Passenger Railway Company to repair the streets in the Twenty-sixth Ward." (*Appendix No. 113.*)

The resolution was twice read, and agreed to.

The preamble was agreed to.

The title was agreed to.

Mr. Craig (on leave)

Read in place a bill entitled "An Ordinance to locate a public lamp on Baltimore avenue, south side, 135 feet west of Fortieth street, in the Twenty-seventh Ward."

Which was referred to the Committee on Gas Works.

Mr. Rowan

Presented a petition of citizens and property owners of the Twenty-seventh Ward, for the location of a gas lamp on Sansom street, between Fortieth and Forty-first streets, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Myers (on leave)

Read in place a bill entitled "An Ordinance to locate a gasoline lamp on the southeast corner of Philadelphia and Cumberland streets, in the Twenty-eighth Ward."

Which was referred to the Committee on Gas Works.

Mr. Sorber

Presented a petition of citizens and property owners of the Twenty-eighth Ward, to grade Mifflin street, in said ward.

Which was referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for better protection from fire, at the Falls of Schuylkill, in said ward.

Which was referred to the Committee on Fire.

Mr. Beaver (on leave)

Read in place a bill entitled "An Ordinance to authorize a transfer from Item No. 19, Department of City Commissioners for 1881, to the Board of Education for the same year."

Which was referred to the Committee on Finance.

Also,

Presented a petition of citizens and property owners of the Twenty-ninth Ward, for a gas lamp on Carlisle street, 91 feet south of Master street, west side, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Herse

Presented a petition of citizens and property owners of the Twenty-ninth Ward, for the location of gas lamps on Oxford and Thompson streets, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Clay,

Chairman of the Committee on Finance, presented a report, with a bill annexed, entitled "An Ordinance to make an appropriation to pay the interest on the funded debt of the City of Philadelphia, falling due on the first day of July, 1881." (*Appendix No. 114.*)

Which was laid over to be printed.

Mr. Wallace,

Chairman of the Committee on Highways, presented a report, with a bill annexed, entitled "An Ordinance to authorize the grading of Thompson street, Twentieth street, and Ridge avenue." (*Appendix No. 115.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, in the Fifteenth Ward." (*Appendix No. 116.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Cinnaminson avenue, in the Twenty-first Ward.'" (*Appendix No. 117.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance supplementary to an ordinance entitled 'An Ordinance to authorize the opening of

Beach street, from Otis street to Rush street, in the Eighteenth Ward,' approved December 8, 1880." (*Appendix No. 118.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the paving of Twenty-fifth street, Myrtle street, and Wabash avenue." (*Appendix No. 119.*)

Which was laid over to be printed.

Mr. Henry,

Chairman of the Committee on Police, presented a report, with a bill annexed, entitled "An Ordinance authorizing the construction of a bridge across Water street, south of Walnut street." (*Appendix No. 120.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to prevent the erection of bay and oriel windows." (*Appendix No. 121.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a resolution annexed, entitled "Resolution to discharge the Committee on Police from the further consideration of a resolution entitled 'Resolution of request to the Building Inspectors, relative to frame buildings in the Twenty-fifth Ward.'" (*Appendix No. 122.*)

Which was laid over to be printed.

Mr. Hall,

Chairman of the Joint Special Commiteee on reorganizing the Fire Department, presented a report, with a bill annexed, entitled "Supplement to the ordinance entitled 'An Ordinance to create and organize a Paid Fire Department for the City of Philadelphia,' approved December 29, 1870." (*Appendix No. 123.*)

Which was laid over to be printed.

Mr. Wallace

Moved to proceed to second reading of bill No. 47, entitled "An Ordinance to authorize the paving of Collins street, from Huntingdon street to Lehigh avenue, in the Thirty-first Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, H. C. Dunlap, Edwards, Faunce, Gardy, Grace, Greger, Grim, Hall, Henry, Herse, Hetrick, Hoffman, Holeman, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Schneider, Shallcross, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber,

Spear, Steen, Strickland, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't* —67.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 49, entitled "An Ordinance to authorize the grading of Davis, Aspen, and Collins streets."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Catanach, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Gardy, Govett, Greger, Grim, Hall, Henry, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Ryan, Schneider, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Van-

derslice, Van Dusen, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—72.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 50, entitled "An Ordinance to authorize the grading of Sharswood street, from Twenty-fourth to Twenty-sixth street, in the Twenty-ninth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. Bardsley, Beaver, Carlin, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Govett, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reinstine, Rex, Ruhl, Ryan, Schneider, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice,

Van Dusen, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—66.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 48, entitled "An Ordinance to authorize the grading of Sedgley avenue, from York street to Lamb Tavern road, and from Ridge avenue to Montgomery avenue, in the Twenty-eighth Ward."

Which was agreed to.

The first and only section was again read.

Mr. Hollingsworth

Moved to amend by striking out the words "and from Ridge avenue to Montgomery avenue."

Which was not agreed to.

The section was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. Bardsley, Beaver, Claghorn, Clay, Collins, G. T. Conrade, Craig, Cross, Currie, H. C. Dunlap, W. Dun-

lap, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Grim, Henry, Herse, Holeman, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, McCully, Millick, Moran, Morris, Myers, Neveling, Rex, Ruhl, Ryan, Schneider, Shallcross, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Tasker, Vanderslice, Van Dusen, Wallace, and Webster—53.

NAYS—Messrs. Merklee and Lex, *Pres't*—2.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Wallace

Moved to proceed to second reading of bill No. 84, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Freeland avenue, from Shur's lane to Penn street, in the Twenty-first Ward.'"

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Claghorn, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, H. C. Dunlap, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Herse, Hoffman, Holeman, Iseminger, Jones, Leithead, Levi, Lowenstein, Maloney, McCully, Merklee, Millick, Moran, Morris, Myers,

Neveling, Patton, Peterson, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Young, and Lex, *Pres't*—58.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 85, entitled "An Ordinance to authorize the paving of Twelfth street and Union street."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Claghorn, Collins, Craig, Cross, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Grim, Hall, Herse, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—64.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 100, entitled "An Ordinance to authorize the paving of Naudain and Twenty-sixth streets, in the Seventh Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Catanach, Claghorn, Clay, Collins, G. T. Conrade, Craig, Cross, Currie, Edwards, Flanagan, Gardy, Govett, Grim, Hall, Henry, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Shallcross, Showaker, C. K. Smith, U. C. Smith, Sorber, Spear, Strickland, Tasker, Vanderslice, Van Dusen, Wallace, Weichselbaum, Young, and Lex, *Pres't*—58.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Clay

Moved to proceed to second reading of bill No. 38, entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Carlin, Clay, Collins, G. T. Conrade, Craig, Cross, Currie, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Grim, Hall, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—65.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 98, entitled "An Ordinance to make an appropriation to the Department for Supplying the City with Water for the purpose of refunding certain twice paid and over paid and paid in error water-rents and pipe-laying bills."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Catanach, Claghorn, Clay, Collins, Cross, Currie, H. C. Dunlap, W. Dunlap, Edwards, Flanagan, Gardy, Govett, Grace, Greger, Grim, Hall, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCully, Merklee, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't* —65.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

JOINT CONVENTION.

The members of Select Council having been introduced, and Councils being assembled in Joint Convention, Mr. Smith (President of Select Council) in the Chair, who announced that the Convention had assembled for the purpose of electing four members of the Board of Guardians of the Poor for the term of three years; one member of the Board of Health for the term of three years, and two members of the Board of Port Wardens to fill vacancies, and declared nominations to be in order for four members of the Board of Guardians of the Poor.

Mr. Collins (of Common Council)

Nominated William Marks.

Mr. Gilbert (of Select Council)

Nominated Thomas S. Keyser.

Mr. Maloney (of Common Council)

Nominated James S. Stewart.

Mr. Stringfellow (of Common Council)

Nominated W. W. Alcorn and W. D. Steele.

Mr. Morris (of Common Council)

Nominated George H. McCreary.

Mr. Claghorn (of Common Council)

Nominated Edward Siter, J. George Klemm, and E. W. Bailey.

Mr. Bickel (of Select Council)

Nominated John Huggard.

Mr. Catanach (of Common Council)

Nominated W. H. Woodward.

A ballot was had, the Clerks acting as tellers, who reported that 105 votes had been cast, of which

Select Council,

Messrs. Albright, Bickel, Brooke, Bumm, Copeland, Cuming, Davis, Gilbert, Glass, Green, Halterman, Hammett, Houseman, Martin, McCullough, McMullen, Miles, Monroe, Mullen, Parker, Patton, Roney, Schellinger, Shotwell, Snowden, and Smith, *Pres't*—26,

Voted for William Marks, Thomas S. Keyser, James S. Stewart, and John Huggard.

Mr. Blair—1,

Voted for William Marks, George H. McCreary, W. W. Alcorn, and W. D. Steele.

Mr. Evans—1,

Voted for Thomas S. Keyser, James S. Stewart, W. D. Steele, and John Huggard.

Mr. Gates—1,

Voted for James S. Stewart, Thomas S. Keyser, George H. McCreary, and John Huggard.

Common Council,

Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Carpenter, Collins, G. T. Conrade, Craig, Cross, Currie, Davis, H. C. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Hall, Henry, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, Merklee, Millick, Moran, Myers, Neveling, Peterson, Reed, Reinstine, Rowan,

Ruhl, Shallcross, Shegog, Showaker, C. K. Smith, Spear, Steen, Strickland, Tasker, Vanderslice, Van Dusen, Webster, Weichselbaum, and Young—57,

Voted for William Marks, Thomas S. Keyser, James S. Stewart, and John Huggard.

Mr. Catanach—1,

Voted for W. W. Alcorn, W. H. Woodward, George H. McCreary, and John Huggard.

Mr. Claghorn—1,

Voted for E. W. Bailey, J. George Klemm, Edward Siter, and George H. McCreary.

Mr. Clay—1,

Voted for W. W. Alcorn, W. D. Steele, George H. McCreary, and John Huggard.

Messrs. G. W. Conrad, Grim, and Patton—3,

Voted for Thomas S. Keyser, James S. Stewart, George H. McCreary, and John Huggard.

Messrs. W. Dunlap and Hollingsworth—2,

Voted for William Marks, James S. Stewart, George H. McCreary, and John Huggard.

Mr. Herse—1,

Voted for James S. Stewart, Thomas S. Keyser, and Joseph K. Davison.

Mr. McCormick—1,

Voted for Joseph K. Davison, Thomas S. Keyser, James S. Stewart, and John Huggard.

Mr. McCully—1,

Voted for W. W. Alcorn, John Huggard, Thomas S. Keyser, and George H. McCreary.

Mr. Morris—1,

Voted for George H. McCreary, William Marks, James S. Stewart, and W. W. Alcorn.

Mr. Rex—1,

Voted for James S. Stewart, W. W. Alcorn, John Huggard, and George H. McCreary.

Messrs. Simmons and Stringfellow—2,

Voted for W. W. Alcorn, W. D. Steele, James S. Stewart, and John Huggard.

Mr. U. C. Smith—1,

Voted for William Marks, George H. McCreary, W. W. Alcorn, and John Huggard.

Mr. Wallace—1,

Voted for Thomas S. Keyser, E. W. Bailey, W. D. Steele, and John Huggard.

Mr. Lex (President)—1,

Voted for William Marks, W. W. Alcorn, George H. McCreary, and John Huggard.

William Marks received 89 votes.

Thomas S. Keyser received 92 votes.

James S. Stewart received 96 votes.

John Huggard received 99 votes.

George H. McCreary received 15 votes.

W. W. Alcorn received 10 votes.

W. D. Steele received 6 votes.

W. H. Woodward received 1 vote.

E. W. Bailey received 2 votes.

J. George Klemm received 1 vote.

Edward Siter received 1 vote.

Joseph K. Davison received 2 votes.

William Marks, Thomas S. Keyser, James S. Stewart, and John Huggard, having received a majority of the votes cast, were declared duly elected members of the Board of Guardians of the Poor for the term of three years.

The President

Declared nominations to be in order for a member of the Board of Health.

Mr. Hammett (of Common Council)

Nominated William B. Kinsey.

Mr. Rex (of Common Council)

Nominated John Weightman.

Mr. Snowden (of Select Council)

Nominated John B. Ingham.

A ballot was had, the Clerks acting as tellers, who reported that 95 votes had been cast; of which

Select Council,

Messrs. Blair, Brooke, Bumm, Cuming, Davis, Gates, Gilbert, Glass, Green, Halterman, Hammett, Houseman,

Martin, McCullough, McMullen, Miles, Monroe, Mullen, Parker, Patton, Roney, Shotwell, and Smith, *Pres't*—23,

Voted for William B. Kinsey.

Mr. Evans—1,

Voted for John Weightman.

Mr. Snowden—1,

Voted for John B. Ingham.

Common Council,

Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Catanach, Collins, Craig, Cross, Currie, Davis, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Grace, Greger, Henry, Herse, Hetrick, Hoffman, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Myers, Neveling, Peterson, Reed, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, Sorber, Spear, Steen, Strickland, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, and Young—60,

Voted for William B. Kinsey.

Messrs. Claghorn, Clay, Hall, Hollingsworth, Irvine, Morris, Rex, U. C. Smith, Stringfellow, and Lex, *Pres't*—10,

Voted for John Weightman.

William B. Kinsey received 83 votes.

John Weightman received 11 votes.

John B. Ingham received 1 vote.

William B. Kinsey, having received a majority of the votes cast, was declared duly elected a member of the Board of Health for the term of three years.

The Convention proceeded to an election of members of the Board of Port Wardens to fill vacancies.

Mr. Henry (of Common Council)

Nominated Theodore Frothingham for unexpired term.

Mr. Hollingsworth (of Select Council)

Nominated William D. Winsor for unexpired term.

A ballot was had, the clerks acting as tellers, who reported that 93 votes had been cast; of which

Select Council,

Messrs. Blair, Cuming, Davis, Gates, Gilbert, Glass, Green, Halterman, Martin, McCullough, McMullen, Miles, Mullen, Parker, Patton, Roney, Shotwell, and Snowden—18,

Voted for Theodore Frothingham.

Mr. Smith, *Pres't*—1,

Voted for William D. Winsor.

Common Council,

Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Catanach, Claghorn, Clay, Collins, G. W. Conrad, Craig, Cross, Currie, Davis, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Hall, Henry, Herse, Hetrick, Irvine, Iseminger, Jefferis, Jones, Kauffman, Levi, Lowenstein, McCormick, Merklee, Millick, Moran, Morris, Myers, Neveling, Peterson, Rex, Rowan, Shallcross, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—61,

Voted for Theodore Frothingham.

Messrs. Durham, Greger, Hoffman, Holeman, Hollingsworth, Leithead, Maloney, McCully, Patton, Reed, Reinstine, Ruhl, and Shegog—13,

Voted for William D. Winsor.

Theodore Frothingham received 79 votes.

William D. Winsor received 14 votes.

Theodore Frothingham, having received a majority of the votes cast, was declared duly elected a member of the Board of Port Wardens for the unexpired term of A. A. Catanach, resigned.

The purposes for which the Convention had assembled having been accomplished, Select Council retired.

Mr. Clay

Moved to proceed to second reading of bill No. 99, entitled "An Ordinance to authorize the Mayor to enter into a contract with Hilles & Jones for the construction, erection, and completion of a new boiler, pipes, connections, and fittings for the Chestnut Hill Water Works, and providing for the payment of the same."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Catanach, Claghorn, Clay, Collins, G. W. Conrad, G. T.

Conrade, Currie, Davis, W. Dunlap, Edwards, Flanagan, Gardy, Grace, Greger, Grim, Hall, Herse, Hetrick, Hollingsworth, Iseminger, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Millick, Morris, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't* —56.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to,

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 79, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to make an appropriation to the Board of Health for the year 1881,' Items 46 and 49, relating to street cleaning."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—G. W. Allen, Bardsley, Beaver, Carlin, Claghorn, Clay, G. W. Conrad, Davis, H. C. Dunlap, Edwards, Faunce, Flanagan, Gardy, Grace, Greger, Grim, Hall, Henry, Het-

rick, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Millick, Morris, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Webster, Young, and Lex, *Pres't*—54.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 78, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to make an appropriation to the Department of Highways, Bridges, and Sewers, for the year 1881,' approved December 31, 1880."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time,

An on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Catanach, Claghorn, Collins, G. W. Conrad, Currie, H. C. Dunlap, W. Dunlap, Edwards, Flanagan, Gardy, Grace, Greger, Hall, Henry, Hetrick, Hoffman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein,

Maloney, McCormick, McCully, Morris, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Webster, Weichselbaum, Young, and Lex, *Pres't*—54.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 80, entitled "An Ordinance to authorize the extension of the West Cohocksink sewer, in the Twenty-eighth Ward."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The third section was again read, and agreed to.

The fourth section was again read, and agreed to.

The fifth section was again read, and agreed to.

The sixth section was again read, and agreed to.

The seventh section was again read, and agreed to.

The eighth section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. Bardsley, Beaver, Catanach, Claghorn, Clay, Collins, G. W. Conrad, Currie, H. C. Dunlap, W. Dunlap, Edwards, Flanagan, Gardy, Govett, Grace, Greger, Hall, Henry, Hoffman, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Morris, Neveling, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—54.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 35, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Germantown avenue, from Gorgas street to junction of the Chestnut Hill and Spring House road, in the Twenty-second Ward.'"

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. Bardsley, Bonsall, Carlin, Catanach, Claghorn, Clay, H. C. Dunlap, W. Dunlap, Durham, Edwards,

Flanagan, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hoffman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Shallcross, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Strickland, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—55.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 20, entitled "An Ordinance to authorize the construction of a sewer across Fiftieth street, at Vine street, in the Twenty-fourth Ward."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The third section was again read, and agreed to.

The fourth section was again read, and agreed to.

The fifth section was again read, and agreed to.

The sixth section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. Bardsley, Beaver, Bonsall, Catanach, Claghorn, Clay, G. W. Conrad, Currie, H. C. Dunlap, W. Dunlap, Durham, Edwards, Flanagan, Gardy, Govett, Greger, Grim, Hall, Henry, Hoffman, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Millick, Moran, Neveling, Peterson, Reed, Reinstine, Rowan, Ruhl, Shallcross, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Webster, Weichselbaum, and Lex, *Pres't*—52.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 74, entitled "An Ordinance to authorize repairs to be made to the South Street Bridge."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Catanach, Clay, Collins, G. W. Conrad, Davis, H. C. Dunlap, W. Dunlap, Durham, Edwards, Gardy, Govett, Greger,

Grim, Hall, Henry, Hoffman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Millick, Moran, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—57.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 76, entitled "An Ordinance to provide relief to the taxpayers who have been defrauded by the late Assistant Deputy Receiver of Taxes."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Carlin, Catanach, Claghorn, Clay, G. W. Conrad, Currie, Davis, H. C. Dunlap, W. Dunlap, Edwards, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Shall-

cross, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, and Lex, *Pres't* —58.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved that when Council adjourns, it be to meet next Thursday, at 3 o'clock P. M.

Which was agreed to.

Mr. Wallace

Moved to proceed to second reading of bill No. 87, entitled "An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of Cunningham & McNichol."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Carlin, Catanach, Claghorn, Clay, Collins, G. W. Conrad, Davis, H. C. Dunlap, W. Dunlap, Durham, Edwards, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hoffman, Hollingsworth, Irvine,

Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCully, Merklee, Millick, Moran, Morris, Neveling, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't* —59.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 77, entitled "An Ordinance to authorize the City Solicitor to mark satisfied of record one of two bonds given by John Zeh, principal, and Thomas McLaughlin, surety, for five hundred (500) dollars."

Which was agreed to.

The first and only section was again read.

Mr. Irvine

Moved that the bill be postponed for the present.

On agreeing to the motion,

The yeas and nays were required by Mr. Rex, seconded by Mr. Irvine, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Bonsall, Carlin, Catanach, Claghorn, Clay, G. W. Conrad, H. C. Dunlap, Gardy, Grim, Hall, Hoffman, Hollingsworth, Irvine, Leithead, McCormick, Merklee, Morris, Peterson, Showaker, Simmons, U. C. Smith, Strickland, Stringfellow, Vanderslice, Wallace, and Lex, *Pres't*—28.

NAYS—Messrs. Craig, Davis, W. Dunlap, Durham, Edwards, Govett, Grace, Greger, Henry, Iseminger, Jones, Kauffman, Lowenstein, Maloney, McCully, Millick, Moran, Neveling, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Shallcross, Shegog, C. K. Smith, Sorber, Spear, Steen, Webster, and Weichselbaum—32.

Which was not agreed to.

Mr. Spear

Moved to amend by adding the following words: "*Provided*, That said John Zeh first pay the amount of security of five hundred (500) dollars over to the City, on the contract for which the bond was given."

Mr. Showaker

Moved that the bill be postponed for the present.

Which was not agreed to.

The question recurring on the amendment,

It was agreed to.

The section as amended was agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Select Council informed Common Council that they had received a report from the Committee on Water Works, with bill No. 64 annexed, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to lay water pipe on Brown, Parrish, Twenty-first, Norwood, Coulter, and Rowan streets, Kershaw avenue, Downing, and Twentieth streets," which they had passed.

Also,

That they had received a report from the Committee on Police and Fire-alarm Telegraph, with bill No. 36 annexed,

entitled "An Ordinance to authorize Harrison Bro. & Co. to erect telegraph poles and wires on certain streets, and to place additional wires on the poles of the Police and Fire-alarm Telegraph," which they had passed.

Also,

That they had received a further report from the same Committee, with bill No. 55 annexed, entitled "An Ordinance granting permission to the Municipal Telegraph Company, of Philadelphia, to lay its patent conduits or conductors for electrical wires under certain streets," which they had passed.

Also,

That they had received a further report from the same Committee, with bill No. 56 annexed, entitled "An Ordinance granting permission to the National Underground Electric Company, of Philadelphia, to lay its patent conduit for electrical conductors under certain streets," which they had passed.

Also,

That they had passed resolution entitled "Resolution directing the City Solicitor to inform Councils with reference to the right of the Philadelphia and Reading Railroad Company over a portion of Ninth street."

Council proceeded to second reading of resolution from Select Council entitled "Resolution directing the City Solicitor to inform Councils with reference to the right of the Philadelphia and Reading Railroad Company over a portion of Ninth street."

The resolution was again read, and not agreed to.

So Common Council non-concurred.

Mr. Wallace

Moved to proceed to second reading of bill No. 52, entitled "An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of William Achuff."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Clay, Currie, Davis, W. Dunlap, Durham, Edwards, Govett, Grace, Greger, Grim, Hetrick, Irvine, Iseminger, Jones, Leithead, Lowenstein, Maloney, McCormick, McCully, Millick, Moran, Morris, Neveling, Patton, Reed, Reinstine, Rex, Shegog, Simmons, Sorber, Spear, Steen, Strickland, Stringfellow, Vanderslice, Webster, Young, and Lex, *Pres't*—39.

NAYS—None.

Less than a quorum voting,

The President

Ordered a call of the House, when the following members answered to their names:

Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Catanach, Claghorn, Clay, G. W. Conrad, Craig, Currie, Davis, W. Dunlap, Edwards, Gardy, Govett, Grace, Greger, Grim, Henry, Irvine, Iseminger, Jones, Kauffman, Leithead, Maloney, McCully, Millick, Moran, Morris, Neveling, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Shegog, Showaker, Sim-

mons, C. K. Smith, Spear, Steen, Strickland, Stringfellow, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—50.

A quorum of members answering to their names,

The President

Ordered the yeas and nays to be called on the final passage of the bill, and were as follows:

YEAS—Messrs. Bonsall, Catanach, Clay, G. W. Conrad, Currie, Davis, H. C. Dunlap, W. Dunlap, Durham, Edwards, Gardy, Govett, Greger, Hoffman, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Moran, Morris, Neveling, Patton, Reed, Reinstine, Shegog, Simmons, Steen, Stringfellow, Vanderslice, Webster, and Lex, *Pres't*—38.

NAYS—Messrs. G. W. Allen, Claghorn, Craig, Grim, Peterson, Rowan, Ruhl, Showaker, U. C. Smith, Spear, Strickland, Weichselbaum, and Young—13.

Less than a majority of those elected having voted in the affirmative,

It was not agreed to.

And the bill fell.

Select Council informed Common Council that they had concurred in the following, to wit:

"An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Germantown avenue, from Gorgas street to junction of the Chestnut Hill and Spring House road, in the Twenty-second Ward.'" (No. 35.)

"An Ordinance to authorize the grading of Sedgley avenue, from York street to Lamb Tavern road, and from Ridge avenue to Montgomery avenue, in the Twenty-eighth Ward." (No. 48.)

"An Ordinance granting permission to the Enterprise Manufacturing Company of Pennsylvania to construct an

underground flue or air-duct on Bodine street, south of Dauphin street." (No. 53.)

"An Ordinance providing for the widening of Thirtieth street, Twenty-seventh Ward." (No. 55.)

"An Ordinance to amend an ordinance entitled 'An Ordinance to make an appropriation to the Board of Health for the year 1881,' Items 46 and 49, relating to street cleaning." (No. 79.)

"An Ordinance to authorize the paving of Twelfth street and Union street." (No. 85.)

"An Ordinance to authorize the construction of sewers on Fitzwater, Thirty-third, Twenty-third, Ingersoll, Garnet, Myrtle, State, and McKean streets." (No. 90.)

"An Ordinance to authorize the Mayor to enter into a contract with Hilles & Jones for the construction, erection, and completion of a new boiler, pipes, connections, and fittings for the Chestnut Hill Water Works, and providing for the payment of the same." (No. 99.)

"Resolution of request to the City Controller to countersign certain warrants."

"Resolution to meet in Joint Convention."

Also,

That they had non-concurred in bill No. 39, entitled "An Ordinance to amend the proviso appended to the ordinance making an appropriation to the Guardians of the Poor for the year 1881."

Also,

That Mr. Hammett had been appointed on the Committee on Fire Department to fill a vacancy.

Mr. Rowan

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned,

Thursday, June 9, 1881.

An Adjourned Stated Meeting of Common Council was held this afternoon, pursuant to adjournment.

Members present:

Messrs. Allen, G. W.,
Bardsley,
Beaver,
Bonham,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Faunce,
Flanagan,
Foster,
Gardy,
Govett,
Grace,
Greger,
Grim,
Hall,
Henry,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Moran,
Morris,
Myers,
Neveling,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Ryan,
Schneider,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Strickland,
Stringfellow,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Weichselbaum,
Young,

Lex, *Pres't.*

The President

Presented a communication from the Board of Health, with a resolution annexed, relative to the condition of Wolf street, between Broad and Thirteenth streets.

Which was referred to the Committee on Highways.

Also,

Presented a communication from the Chief Commissioner of Highways, submitting a communication from the President of the Union Passenger Railway Company, relative to paving of Sansom and other streets with Belgian blocks. (*Appendix No. 124.*)

Which was read.

Mr. Miller

Moved that the communication be referred to the Committee on Highways.

Which was agreed to.

Also,

Presented a communication from the Chief Commissioner of Highways, submitting a statement, showing the condition of the annual appropriation to the Department of Highways, June 1, 1881. (*Appendix No. 125.*)

Mr. Spear (on leave)

Read in place a bill entitled "An Ordinance to construct a sewer on Eighth street, from Jackson street to Snyder avenue, in the First Ward."

Which was referred to the Committee on Surveys.

Mr. Levi

Presented a petition of citizens and property owners of the Fifth Ward, for a sewer on Sixth street, between Lombard and South streets, in said ward.

Which was referred to the Committee on Surveys.

Mr. Ryan (on leave)

Offered the following, to wit: "Resolution to locate a gasoline lamp in Donaker place, and one in Richland place, in the Sixth Ward."

Which was referred to the Committee on Gas Works.

Mr. Hollingsworth

Presented a communication from Israel W. Durham, complaining of the Board of Health withholding his warrant for cleaning the streets in the Eighth and Tenth Districts, for the year 1880.

Which was referred to the Committee on Prisons.

Mr. Govett

Presented a petition of citizens and property owners of the Seventh Ward, for a gas lamp at the corner of Pleasant avenue and Lombard streets, in said ward.

Which was referred to the Committee on Gas Works.

Also (on leave),

Read in place a bill entitled "An Ordinance supplementary to an ordinance entitled 'An Ordinance for the government and protection of the Department for Supplying the City with Water,' approved June 1, 1871."

Which was referred to the Committee on Water Works.

Mr. Irvine (on leave)

Offered the following, to wit: "Resolution relative to using the sewers of the City for running telegraph and telephone wires in, and to produce a revenue to the City.

Which was referred to the Committee on Surveys.

Mr. Shegog (on leave)

Read in place a bill entitled "An Ordinance to grant permission to the Western White Lead Company to erect an iron bridge across Mascher street to connect their two buildings in the Nineteenth Ward."

Which was referred to the Committee on Police.

Mr. Showaker (on leave)

Read in place a bill entitled "An Ordinance to repeal an ordinance entitled 'An Ordinance to authorize the construction of sewers on Thirty-third, Haverford, Fifth, Twenty-third, and Ann streets,' approved April 21, 1881, so far as relates to a sewer on Fifth street."

Which was referred to the Committee on Surveys.

Mr. Merklee

Presented a petition of citizens and property owners of the Twentieth Ward, for the location of a fire-plug on Darien street, between Montgomery avenue and Berks street, in said ward.

Which was referred to the Committee on Water Works.

Mr. Wallace

Presented a petition of citizens and property owners of the Twenty-first Ward, to grade Hermit, Markle, and Manayunk avenues, in said ward.

Which was referred to the Committee on Highways.

Mr. Henry (on leave)

Read in place a bill entitled "An Ordinance to release the Central Soup Society from paying water-rent."

Which was referred to the Committee on Water Works.

Mr. Rex

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for a sewer on Twenty-eighth street, between Susquehanna avenue and Dauphin street, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Seventh Ward, for a sewer on Lombard street, between Fifteenth and Sixteenth streets, in said ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following, to wit: "Resolution to appoint a Committee of Investigation." (*Appendix No. 126.*)

The resolution was twice read, and agreed to.

The preambles were agreed to.

The title was agreed to.

And the President

Appointed Messrs. Patton, Gardy, Morris, Simmons, and Iseminger the Committee.

The Clerk of his Honor, the Mayor, was introduced, when he presented a message returning, without his approval, bill No. 89, entitled "An Ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward." (*Appendix No. 127.*)

The message was read.

The question being, shall the bill pass notwithstanding the objections of the Mayor,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. Bardsley, Bonsall, Davis, Durham, Edwards, Jones, Millick, Neveling, and Vanderslice—9.

NAYS—Messrs. G. W. Allen, Bonham, Carlin, Carpenter, Catanach, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Currie, Donaldson, W. Dunlap, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCully, Miller, Moran, Morris, Meyers, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Ryan, Schneider, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—65.

Less than three-fifths of those elected having voted in the affirmative,

It was not agreed to.

And the bill fell.

Mr. Jones

Presented a petition of citizens and property owners of the Twenty-fourth Ward, against the construction of a sewer on Warren street, in said ward.

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to locate a gasoline lamp at the corner of Fiftieth street and Monroe avenue, in the Twenty-fourth Ward."

Which was referred to the Committee on Gas Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to locate a gas lamp at the corner of Fifty-second street and Girard avenue, in the Twenty-fourth Ward."

Which was referred to the Committee on Gas Works.

Mr. Strickland (on leave)

Read in place a bill entitled "An Ordinance to grade the Merion road, where the same enters into Lansdowne avenue, in the Twenty-fourth Ward."

Which was referred to the Committee on Highways.

Mr. Reed

Presented a petition of citizens and property owners of the Twenty-fifth Ward, to open Aramingo canal, in said ward.

Which was referred to the Committee on Surveys.

Mr. Stringfellow

Presented a petition of citizens and property owners of the Twenty-sixth Ward, to open Eleventh street, south of Wharton street, in said ward.

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to locate sewers in the Twenty-sixth Ward."

Which was referred to the Committee on Surveys.

Also (on leave),

Offered the following, to wit: "Resolution to inquire into the right of certain person to hold a seat in Council." (*Appendix No. 128.*)

The resolution was again read.

Mr. Rowan

Moved that the further consideration of the resolution be postponed until the next stated meeting of Councils.

Which was agreed to.

Mr. Rowan (on leave)

Offered the following, to wit: "Resolution of request to the Governor of Pennsylvania not to sign a certain bill." (*Appendix No. 129.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Craig

Presented a petition of Marshall Bros., requesting permission to remove the curbstones to repave sidewalk in front of their property, on Beach street above Marlborough street, in the Eighteenth Ward.

Which was referred to the Committee on Highways.

Mr. Beaver (on leave)

Offered the following, to wit: "Resolution of request to the Chief Commissioner of Highways, relative to awarding the contract for the construction of a sewer on Jefferson street, between Thirtieth and Thirty-second streets, in the Twenty-ninth Ward."

Which was referred to the Committee on Highways.

Mr. Miller (on leave)

Read in place a bill entitled "An Ordinance to construct a sewer on Huntingdon street and Frankford road."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward."

Which was referred to the Committee on Surveys.

Mr. Clay,

Chairman of the Committee on Finance, presented a bill entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water, for the year 1881." (*Appendix No. 130.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the Mayor to enter into a contract with the Peerless Brick Company, for furnishing terra cotta cornices and special buff bricks." (*Appendix No. 131.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize certain transfers from the annual appropriations to the Department of City Commissioners, to the Department of Highways, to the Inspectors of County Prison, and to the Board of Health, for the year 1881, to the annual appropriation to the Board of Health for the same year." (*Appendix No. 132.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to make an appropriation to the Trustees of the City Ice Boats for the repair of City Ice Boat

No. 1, and to authorize certain transfers from the annual appropriation of the Department of City Commissioners, and Inspectors of the County Prison for the year 1881, and Department of Police for the year 1878, to the annual appropriation to the Trustees of the City Ice Boats for the year 1881." (*Appendix No. 133.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize satisfaction to be entered on the official bond of Robert E. Pattison, City Controller." (*Appendix No. 134.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize certain transfers in the annual appropriation to the Law Department for the year 1881." (*Appendix No. 135.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a resolution annexed, entitled "Resolution to discharge the Committee on Finance from the consideration of an ordinance authorizing the Register of Wills to appoint two additional clerks." (*Appendix No. 136.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Wallace,

Chairman of the Committee on Highways, presented a report, with a bill annexed, entitled "An Ordinance to authorize the grading of Gowen avenue, from Sprague street to Stenton avenue, in the Twenty-second Ward." (*Appendix No. 137.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the grading of Johnson and Kalos streets, and Manayunk avenue." (*Appendix No. 138.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the opening of Tucker street, from Tacony street to James street, in the Twenty-third Ward." (*Appendix No. 139.*)

Which was laid over to be printed.

Mr. Rex,

Chairman of the Committee on Surveys, presented a report, with a bill annexed, entitled "An Ordinance to authorize the construction of sewers on Sixth, St. Mary, Pine, Twelfth, Myrtle, Sixty-third, Mutter, Waldron, Marston, Stiles, Warnock, Darien, and Seventeenth streets." (*Appendix No. 140.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the construction of sewers on Market street, between Merrick street and Twenty-second street." (*Appendix No. 141.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the revision of the lines of Seventy-first street, on the plan of the City of Philadelphia." (*Appendix No. 142.*)

Which was laid over to be printed.

Also (by direction of the Committee on Surveys),

Offered the following, to wit: "Resolution relative to an ordinance to provide for the inspection of the construction of branch sewers." (*Appendix No. 143.*)

The resolution was again read.

Mr. Henry

Moved that the resolution be recommitted to the Committee on Surveys.

Which was agreed to.

Mr. Henry,

Chairman of the Committee on Police, presented a report, with a bill annexed, entitled "An Ordinance to authorize the Keystone Horseshoe Company to erect a one-story frame building, to be covered with sheet iron, on the east side of Richmond street, opposite Ash street, and adjoining Gunner's Run, in the Eighteenth Ward." (*Appendix No. 144.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to prohibit the sale, construction, and use, within the corporate limits of the City of Philadelphia, of toy pistols, devil's bombs, and other similar articles used for firing salutes, etc." (*Appendix No. 145.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a resolution annexed, entitled "Resolution to discharge the Committee on Police from the consideration of an ordinance entitled 'An Ordinance to grant permission to Isaac Fox to

erect a temporary frame building and stable upon his premises, west side of Islington lane, between Twenty-fourth and Twenty-fifth streets.'" (*Appendix No. 146.*)

Which was laid over to be printed.

Mr. Collins,

Chairman of the Committee on Gas Works, presented a report, with a bill annexed, entitled "An Ordinance to change the location of public lamps." (*Appendix No. 147.*)

Which was laid over to be printed.

Mr. Spear, seconded by Mr. Young,

Moved to reconsider the vote on the final passage of bill No. 52, entitled "An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of William Achuff."

On agreeing to the motion,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonham, Carpenter, Catanach, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Myers, Neveling, Patton, Reed, Reinstine, Rowan, Ruhl, Ryan, Schneider, Shallcross, Shegog, Simmons, C. K. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Van Dusen, Webster, Weichselbaum, Young, and Lex, *Pres't*—71.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

The question being on the final passage of the bill,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonham, Bonsall, Carlin, Catanach, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Morris, Myers, Neveling, Patton, Reed, Reinstine, Ruhl, Ryan, Schneider, Shallcross, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—74.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Hall

Moved to proceed to second reading of bill No. 123, entitled "Supplement to the Ordinance entitled 'An Ordinance to create and organize a Paid Fire Department for the City of Philadelphia,' approved December 29, 1870."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read.

Mr. Miller

Moved to amend by striking out all after the word "The," at the beginning of the first line, and inserting in lieu thereof the following: "Select and Common Councils shall, at any

stated meeting in the month of December, and whenever a vacancy shall occur by death, resignation, or otherwise, meet in Joint Convention to elect a Superintendent of the Fire Department; he shall hold his office until his successor be chosen and duly qualified, unless sooner removed by resolution of Councils."

Mr. Patton

Moved to amend the amendment by striking out in section 2 the words: "Select Council of the City of Philadelphia," and inserting the words: "Select and Common Council in Joint Convention assembled," and striking out the pending amendment.

Mr. Showaker

Moved that the bill be postponed and made the special order for Thursday afternoon next, at four o'clock.

On agreeing to the motion,

The yeas and nays were required by Mr. Clay, seconded by Mr. Hall, and were as follows:

YEAS—Messrs. Bonham, Carlin, Carpenter, G. W. Conrad, G. T. Conrade, Craig, Currie, Davis, Donaldson, H. C. Dunlap, Edwards, Faunce, Flanagan, Foster, Govett, Hetrick, Hoffman, Jones, Kauffman, Leithead, Levi, Lowenstein, McCully, Merklee, Miller, Millick, Myers, Peterson, Reed, Rowan, Ryan, Schneider, Shallcross, Shegog, Showaker, Spear, Steen, Tasker, Webster, Weichselbaum, and Young —41.

NAYS—Messrs. G. W. Allen, Bardsley, Beaver, Catanach, Claghorn, Clay, Collins, W. Dunlap, Durham, Gardy, Grace, Greger, Grim, Hall, Henry, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Maloney, McCormick, Moran, Morris, Patton, Reinstine, Rex, Ruhl, Simmons, C. K. Smith, U. C. Smith, Sorber, Strickland, Stringfellow, Vanderslice, Van Dusen, Wallace, and Lex, *Pres't*—38.

Which was agreed to.

Council proceeded to second reading of bill from Select Council, No. 64, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to lay water pipe on Brown, Parrish, Twenty-first, Norwood, Coulter, and Rowan streets, Kershaw avenue, Downing, and Twentieth streets."

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. Bardsley, Beaver, Carlin, Carpenter, Catanach, Clay, Collins, G. W. Conrad, G. T. Conrade, Currie, Davis, H. C. Dunlap, W. Dunlap, Durham, Edwards, Foster, Gardy, Govett, Grace, Greger, Grim, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Miller, Moran, Morris, Patton, Peterson, Reed, Reinstine, Rex, Ruhl, Schneider, Shallcross, Simmons, U. C. Smith, Sorber, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—59.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Mr. Henry

Moved to proceed to second reading of bill No. 120, entitled "An Ordinance authorizing the construction of a bridge across Water street, south of Walnut street."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Catanach, Clay, Collins, G. W. Conrad, G. T. Conrade, H. C. Dunlap, Edwards, Flanagan, Gardy, Govett, Grace, Greger, Grim, Henry, Hoffman, Holeman, Hollingsworth, Iseminger, Jones, Kauffman, Leithead, Maloney, McCully, Miller, Millick, Morris, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Ryan, Shallcross, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't* —53.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved that when Council adjourn, it be to meet on Tuesday next, at 3 o'clock P. M.

Which was agreed to.

Mr. Wallace

Moved to proceed to second reading of bill No. 115, entitled "An Ordinance to authorize the grading of Thompson street, Twentieth street, and Ridge avenue."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. Bardsley, Carlin, Carpenter, Catanach, Clay, Collins, G. W. Conrad, Davis, H. C. Dunlap, W. Dunlap, Edwards, Flanagan, Gardy, Grace, Greger, Grim, Hall, Henry, Holeman, Iseminger, Jones, Kauffman, Leithead, Levi, McCully, Miller, Millick, Moran, Morris, Myers, Patton, Reed, Rex, Rowan, Ruhl, Ryan, Shallcross, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Strickland, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—52.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 116, entitled "An Ordinance to authorize the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, in the Fifteenth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Carlin, Carpenter, Catanach, Clay, Collins, Davis, H. C. Dunlap, Edwards, Flanagan, Gardy, Govett, Greger, Grim, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Maloney, McCully, Merklee, Miller, Moran, Morris, Myers, Patton, Peterson, Reinstine, Rex, Rowan, Ruhl, Ryan, Shallcross, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Tasker, Vanderslice, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—51.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 117, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Cinnaminson avenue, in the Twenty-first Ward.'"

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Carlin, Carpenter, Catanach, Clay, G. T. Conrade, Craig, Davis, Donaldson, Edwards, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Maloney, McCully, Merklee, Miller, Millick, Moran, Morris, Myers, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Ryan, Schneider, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—64.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 118, entitled "An Ordinance supplementary to an ordinance entitled 'An Ordinance to authorize the opening of Beach street, from Otis to Rush street, in the Eighteenth Ward.' approved December 8, 1880."

Which was agreed to.

The first and only section was again read.

Also,

Moved to amend by striking out all after the words "do ordain," and inserting the following:

That the ordinance to which this is a supplement be altered and amended by striking out all after the word "*Provided,*" on the fourth line from the bottom, and inserting in lieu thereof the following: "The parties interested in

the opening of said street shall first file a satisfactory bond with the City Solicitor, indemnifying the City against any damages on account of the opening of said street."

Which was agreed to.

The section as amended was agreed to.

The preamble was agreed to.

The title was agreed to.

And the bill was laid over to be printed.

Mr. Wallace

Moved to proceed to second reading of bill No. 86, entitled "An Ordinance for the prevention and removal of drainage over footways and streets."

Which was agreed to.

The first section was again read.

Mr. Patton

Moved that the bill be recommitted to the Committee on Highways.

Which was agreed to.

Mr. Wallace

Moved to proceed to second reading of resolution No. 88, entitled "Resolution discharging the Committee on Highways from the further consideration of an ordinance relative to grading and paving footways."

Which was agreed to.

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Miller (on leave)

Offered the following, to wit: "Resolution of request to Rudolph Hering, Esq." (*Appendix No. 148.*)

The resolution was again read.

Mr. Henry

Moved to amend by adding the following: "*Provided*, The Chief-Engineer and Surveyor has the same printed in his annual report."

Mr. Bardsley

Moved that the resolution be referred to the Committee on Surveys.

Which was agreed to.

Mr. Rex

Moved to proceed to second reading of bill No. 54, entitled "An Ordinance to authorize the construction of sewers on Medina, Howard, and Cumberland streets."

Which was agreed to.

The first section was again read.

Also,

Moved to amend by adding the following after the word "street," in the eleventh line, "each with a clear inside diameter of three feet."

Which was agreed to.

The first section as amended was agreed to.

The second section was again read, and agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Also,

Moved to proceed to second reading of bill No. 102, entitled "An Ordinance to amend the ordinance entitled 'An Ordinance to place Floyd street, in the Twenty-second Ward, upon the plan of the City.' "

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, Bardsley, Carlin, Carpenter, Catanach, Claghorn, Clay, Collins, Craig, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Edwards, Flanagan, Foster, Govett, Grace, Greger, Hall, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Jones, Kauffman, Leithead, McCormick, McCully, Merklee, Millick, Moran, Morris, Myers, Reed, Reinstine, Rex, Rowan, Schneider, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Stringfellow, Tasker, Van Dusen, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—56.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 103, entitled "An Ordinance directing a topographical survey on Plan 279, Twenty-sixth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Carlin, Carpenter, Claghorn, Collins, Craig, Currie, Davis, Donaldson, W. Dunlap, Edwards, Flanagan, Grace, Greger, Hall, Henry, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Morris, Myers, Patton, Peterson, Reinstine, Rex, Rowan, Ruhl, Schneider, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—59.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 104, entitled "An Ordinance to authorize the construction of sewers on Eighth, Dudley, Green, and Emerald streets, and on Lancaster avenue."

Which was agreed to.

The first and only section was again read.

Mr. Bardsley

Moved that the further consideration of the bill be postponed for the present.

Which was agreed to.

Mr. Rex,

Moved to proceed to second reading of bill No. 56, entitled "An Ordinance to authorize a topographical survey of parts of the Twenty-first and Twenty-second Wards."

Which was agreed to.

The first and only section was again read.

Mr. Rowan

Moved that the bill be recommitted to the Committee on Surveys.

Which was not agreed to.

Mr. Bardsley

Moved that the further consideration of the bill be postponed for the present.

On agreeing to the motion,

The yeas and nays were required by Mr. Rowan, seconded by Mr. Rex, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Bonsall, Carlin, Carpenter, Craig, Davis, H. C. Dunlap, Govett, Greger, Hoffman, Iseminger, Kauffman, Levi, McCully, Merklee, Miller, Millick, Myers, Neveling, Peterson, Reinstine, Rowan, Ryan, Schneider, Showaker, Sorber, Spear, Vanderslice, Webster, Weichselbaum, and Lex, *Pres't*—32.

NAYS—Messrs. Beaver, Claghorn, Clay, Collins, Currie, Donaldson, W. Dunlap, Durham, Edwards, Foster, Grace, Hall, Henry, Hollingsworth, Irvine, Leithead, Maloney, McCormick, Moran, Morris, Rex, Ruhl, Simmons, C. K. Smith, U. C. Smith, Steen, Stringfellow, and Wallace—28.

Which was agreed to.

Mr. Clay

Moved to proceed to second reading of bill No. 71, entitled "An Ordinance to provide for lighting Chestnut street, from the Delaware to the Schuylkill river, with electric lights."

Which was agreed to.

The first and only section was again read.

Also,

Moved to amend the first and only section by striking out all after the words "do ordain," and inserting the following: "That permission be, and is, hereby granted to The Brush Electric Light Company, of Philadelphia, to light Chestnut street, from the Delaware to the Schuylkill river, with electric lights for one year, under the supervision of the Mayor and Committee on Police: *Provided*, Said lighting shall be done without any expense to the City, nor shall any liability be incurred by said City, either directly or indirectly."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

The President

Appointed Mr. Ryan on the Committee on Fire Department, to fill a vacancy.

Select Council informed Common Council that they had received a report from the Committee on Water Works, with bill No. 73 annexed, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to lay water pipe on Chant street, St. Stephen's place, Fountain, Union, and Vanilla streets, and to lay water

pipe and locate a fire-plug in the grounds of the Municipal Hospital, and to relay water pipes in Boyer place," which they had passed.

Also,

That they had received a report from the Committee on Police and Fire-alarm Telegraph, with bill No. 79 annexed, entitled "An Ordinance granting the Bankers' and Merchants' Telegraph Company permission to place telegraph poles and wires on certain streets," which they had passed.

Also,

That they had passed the following resolutions:

"Resolution directing the Chief Commissioner of Highways to notify the owners of property on Moyamensing avenue, between Mifflin street and Snyder avenue, to curb, grade, and pave their sidewalks."

"Resolution relative to the transfer of the mortal remains of William Penn from England to America."

"Resolution of request to the City Solicitor to furnish information to the Select and Common Councils, relative to the occupancy of Ninth street, between Spring Garden street and Girard avenue, by the Philadelphia and Reading Railroad Company, lessees of the Philadelphia, Germantown, and Norristown Railroad Company."

Also,

That they had concurred in the following, to wit:

"An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to receive the water-rents of all National or State properties in half-yearly payments." (No. 36.)

"An Ordinance to approve the contract and sureties of Charles O'Neill, Jr., for the erection of a school-house at the southeast corner of Twenty-sixth and Jefferson streets." (No. 43.)

"An Ordinance to authorize the paving of Collins street, from Huntingdon street to Lehigh avenue, in the Thirty-first Ward." (No. 47.)

"An Ordinance to authorize the grading of Davis, Aspen, and Collins streets." (No. 49.)

"An Ordinance to authorize the grading of Sharswood street, from Twenty-fourth to Twenty-sixth street, in the Twenty-ninth Ward." (No. 50.)

"An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of William Achuff." (No. 52.)

"An Ordinance to authorize repairs to be made to the South Street Bridge." (No. 74.)

"An Ordinance to provide relief to the taxpayers who have been defrauded by the late Assistant Deputy Receiver of Taxes." (No. 76.)

"An Ordinance to amend an ordinance entitled 'An Ordinance to make an appropriation to the Department of Highways, Bridges, and Sewers, for the year 1881,' approved December 31, 1880." (No. 78.)

"An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Freeland avenue, from Shur's lane to Penn street, in the Twenty-first Ward.'" (No. 84.)

"An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of Cunningham & McNichol." (No. 87.)

"Resolution of instruction to the Chief-Engineer and Surveyor of the City, relative to preparing a plan of the Almshouse property." (No. 97.)

"An Ordinance to make an appropriation to the Department for Supplying the City with Water, for the purpose of refunding certain twice paid and over paid and paid in error water-rents and pipe-laying bills." (No. 98.)

"An Ordinance to authorize the paving of Naudain and Twenty-sixth streets, in the Seventh Ward." (No. 100.)

"An Ordinance to amend the ordinance entitled 'An Ordinance to place Floyd street, in the Twenty-second Ward, upon the plan of the City.'" (No. 102.)

"Resolution instructing the Chief Commissioner of Highways to notify the contractors to repair certain streets in the Twenty-sixth Ward." (No. 112.)

"Resolution of instruction to the Chief Commissioner of Highways to notify the Union Passenger Railroad Company to repair streets in the Twenty-sixth Ward." (No. 113.)

"An Ordinance to authorize the grading of Thompson street, Twentieth street, and Ridge avenue." (No. 115.)

"An Ordinance to authorize the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, in the Fifteenth Ward." (No. 116.)

"An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the grading of Cinnaminson avenue, in the Twenty-first Ward.'" (No. 117.)

"An Ordinance authorizing the construction of a bridge across Water street, south of Walnut street." (No. 120.)

"Resolution of request to the Governor of the State of Pennsylvania not to sign a certain bill."

Also,

That they had concurred in bill from Common Council (Appendix No. 38) entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for

Supplying the City with Water for the year 1881," with the following amendment, in which they respectfully ask concurrence:

By adding the following to the section: "Item 27, for salaries of temporary clerks to complete the record of liens for pipe frontage, nine hundred (900) dollars, compensation not to exceed seventy-five (75) dollars per month for time actually employed;" by striking out "one thousand three hundred and fifty (1,350) dollars" and inserting in lieu thereof "two thousand two hundred and fifty (2,250) dollars," and by striking out the figures "15" and inserting in lieu thereof the figure "1."

Mr. Vanderslice

Moved to proceed to second reading of Select Council bill No. 56, entitled "An Ordinance granting permission to the National Underground Electric Company, of Philadelphia, to lay its patent conduits for electrical conductors under certain streets."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The third section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and while the roll was being called the hour of seven o'clock arrived, and

The President

Declared Council adjourned under the rules.

Tuesday, June 14, 1881.

An adjourned stated meeting of Common Council was held this afternoon pursuant to adjournment.

Members present—

Messrs. G. W. Allen,
Bardsley,
Beaver,
Bonsall,
Carlin,
Carpenter,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Faunce,
Flanagan,
Foster,
Gardy,
Govett,
Grace,
Greger,
Griffiths,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Morris,
Myers,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Schneider,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Spear,
Steen,
Strickland,
Stringfellow,
Wallace,
Webster,
Weichselbaum,
Young,

Lex, *Pres't.*

Mr. Beaver (on leave)

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer on Waldron street, between Twenty-seventh and Twenty-eighth streets, in the Twenty-ninth Ward."

Which was referred to the Committee on Surveys.

Mr. Lowenstein (on leave)

Read in place a bill entitled "An Ordinance to change the place of voting in the Sixth Division, Eleventh Ward."

Which was referred to the Committee on Election Divisions.

Mr. Webster (on leave)

Offered the following, to wit: "Resolution of request to the Mayor to return to Select Council a certain bill." (*Appendix No. 149.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Henry (on leave)

Read in place a bill entitled "An Ordinance to open Lindley avenue, Twenty-second Ward."

Which was referred to the Committee on Highways.

Mr. Weichselbaum (on leave)

Read in place a bill entitled "An Ordinance to authorize the construction of a sewer on the south side of Girard avenue, between Tenth and Eleventh streets, and on the north side of Girard avenue, between Twelfth and Thirteenth streets, in the Twentieth Ward."

Which was referred to the Committee on Surveys.

Also,

Read in place a bill entitled "An Ordinance to lay a larger water pipe on Girard avenue, east of Broad street."

Which was referred to the Committee on Water Works.

Mr. Reed (on leave)

Read in place a bill entitled "An Ordinance for the grading of Clearfield street, from Torpin to Lambert street, Twenty-fifth Ward."

Which was referred to the Committee on Highways.

Mr. McCully

Presented a petition of machinists of the Water Department, for increase of wages.

Which was referred to the Committee on Water Works.

Mr. Davis

Presented a petition of citizens and property owners of the Third Ward, to change the place of voting in the Thirteenth Division, in said ward.

Which was referred to the Committee on Election Divisions.

Mr. Maloney (on leave)

Offered the following, to wit:

"Resolution of instruction to the Chief Commissioner of Highways, to repair Little Medina street." (*Appendix No. 150.*)

The resolution was twice read, and agreed to.

The preamble was agreed to.

The title was agreed to.

Mr. Bardsley (on leave)

Read in place a bill entitled "An Ordinance to grade Clearfield street, from Broad to Fifteenth street."

Which was referred to the Committee on Highways.

Mr. Miller (on leave)

Read in place a bill repealing so much of an ordinance as authorizes the Chief-Engineer of the Water Department to collect water-rent from the renters of stalls or stands in the public market-houses.

Which was referred to the Committee on Water Works.

Mr. Wallace,

Chairman of the Committee on Highways, presented a report, with bill annexed, entitled "An Ordinance to authorize the opening of Pollock street, from Moyamensing avenue to Rope Ferry road, in the Twenty-sixth Ward." (*Appendix No. 151.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to authorize the opening of Carpenter street, from Twenty-third street to Gray's Ferry road, in the Thirtieth Ward." (*Appendix No. 152.*)

Which was laid over to be printed.

Mr. McCormick,

Chairman of the Committee on Prisons, presented a report, with a resolution annexed, entitled "Resolution of request to the Board of Health to hand over to Israel W. Durham (contractor for cleaning the streets in the Eighth and Tenth Districts) warrants for the month of December, 1880, withheld by them." (*Appendix No. 153.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Rex,

Chairman of the Committee on Surveys, presented a report, with a bill annexed, entitled "An Ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward." (*Appendix No. 154.*)

Which was laid over to be printed.

Mr. Stringfellow (on leave)

Read in place a bill entitled "An Ordinance to locate sewers in the Twenty-sixth Ward."

Which was referred to the Committee on Surveys.

Mr. Hall (on leave)

Read in place a bill entitled "An Ordinance to appropriate a portion of the iron railing taken from Penn Square for the purpose of enclosing the monument erected at Broad street and Girard avenue by the artillery corps, Washington Grays."

Which was referred to the Committee on City Property.

Mr. Rowan

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for a sewer on Budd street, between Haverford avenue and Spring Garden street.

Which was referred to the Committee on Surveys.

Mr. Kauffman (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps in the Twenty-fifth Ward."

Which was referred to the Committee on Gas Works.

Mr. Claghorn (on leave)

Offered the following, to wit: "Resolution of instruction to the Chief-Engineer and Surveyor, relative to gutters."

Which was referred to the Committee on Highways.

Mr. Steen

Presented the following communication :

Philadelphia, June 1, 1881.

To the President and Members
of Common Council.

GENTLEMEN :—I herewith respectfully tender my resignation as a member of your honorable body, the same to take effect immediately.

The pressure of business matters, and a desire to devote more time to my private interests, make this step imperative.

Trusting it will receive your immediate consideration, I remain,

Very respectfully, yours,
WM. GALLAGHER.

Mr. Rowan (on leave)

Offered the following, to wit: "Resolution relative to the resignation of William Gallagher." (*Appendix No. 155.*)

The first resolution was twice read, and agreed to.

The second resolution was twice read, and agreed to.

The preamble was agreed to.

The title was agreed to.

Mr. Irvine (on leave)

Read in place a bill entitled "An Ordinance to lay water pipe on Sycamore street, between Thirty-fourth and Orion streets, Twenty-fourth Ward."

Which was referred to the Committee on Water Works.

Council resumed second reading of Select Council bill No. 56, entitled "An Ordinance granting permission to the National Underground Electric Company, of Philadelphia, to lay its patent conduits for electrical conductors under certain streets."

The question being on the final passage of the bill,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Bonsall, Carlin, Carpenter, Claghorn, G. T. Conrade, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Faunce, Flanagan, Foster, Gardy, Grace, Greger, Griffiths, Grim, Hall, Henry, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Jefferis, Jones, Kauffman, Levi, Lowenstein, Maloney, McCully, Merklee, Miller, Myers, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Schneider, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—56.

NAYS—Messrs. Clay, Govett, Irvine, Iseminger, Millick, and Showaker—6.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Also,

Proceeded to second reading of Select Council bill No. 55, entitled "An Ordinance granting permission to the Municipal Telegraph Company, of Philadelphia, to lay its patent conduits or conductors for electrical wires under certain streets."

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The third section was again read.

Mr. Govett

Moved to amend by adding the following: "*Provided*, That nothing herein contained shall be so construed as to prohibit the use of said manholes by any incorporated company, said company paying to the Municipal Telegraph Electric Company a proportionate share of the original cost of said manholes, and becoming subject to all the penalties and conditions contained in this ordinance."

Which was not agreed to.

The question recurring on agreeing to the third section,

Mr. Henry

Moved to amend by striking out the word "any," and inserting the word "every."

Which was agreed to.

The third section as amended was agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Mr. Patton, (seconded by Mr. Greger)

Moved to reconsider the vote on the final passage of Select Council bill No. 56, entitled "An Ordinance granting permission to the National Underground Electric Company, of Philadelphia, to lay its patent conduits for electrical conductors under certain streets."

On agreeing to the motion,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. Clay, Collins, G. W. Conrad, W. Dunlap, Flanagan, Foster, Govett, Greger, Grim, Hall, Henry, Herse, Hetrick, Hollingsworth, Irvine, Iseminger, Jefferis,

Kauffman, Leithead, Maloney, McCormick, McCully, Millick, Patton, Peterson, Rex, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Wallace, and Lex, *Pres't*—39.

NAYS—Messrs. G. W. Allen, Beaver, Bonsall, Carlin, Carpenter, Claghorn, G. T. Conrade, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Faunce, Gardy, Grace, Griffiths, Hoffman, Holeman, Jones, Levi, Lowenstein, Merklee, Miller, Myers, Reinstine, Rowan, Webster, Weichselbaum, and Young—29.

Less than a majority of those elected having voted in the affirmative,

It was not agreed to.

Council proceeded to the second reading of Select Council bill No. 36, entitled "An Ordinance to authorize Harrison Bro. & Co. to erect telegraph poles and wires on certain streets, and to place additional wires on the poles of the Police and Fire-alarm Telegraph."

The first section was again read.

Mr. Hoffman

Moved to amend by adding the following: "*Provided*, That when required by ordinance of Councils, they lay their wires underground."

Which was agreed to.

The first section as amended was agreed to.

The second section was again read, and agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Council proceeded to the second reading of Select Council bill No. 52, entitled "An Ordinance imposing a condition upon passenger railway companies asking for additional privileges."

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Bonsall, Carlin, Clay, Collins, G. W. Conrad, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Griffiths, Grim, Henry, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Kauffman, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Morris, Myers, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Stringfellow, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—61.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Also,

Proceeded to the second reading of Select Council bill No. 79, entitled "An Ordinance granting the Bankers' and Merchants' Telegraph Company permission to place telegraph poles and wires on certain streets."

The first section was again read, and not agreed to.

The second section was again read, and agreed to.

Mr. Henry (seconded by Mr. Smith)

Moved to reconsider the vote whereby the first section was not agreed to.

Which was agreed to.

The question being on agreeing to the first section,

It was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Bonsall, Carlin, Carpenter, Claghorn, Collins, Cross, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Faunce, Flanagan, Foster, Gardy, Grace, Griffiths, Hall, Henry, Herse, Hoffman, Holeman, Hollingsworth, Jefferis, Jones, Leithead, Levi, Lowenstein, Maloney, McCormick, Merklee, Miller, Millick, Patton, Reed, Rex, Rowan, Schneider, Showaker, Simmons, U. C. Smith, Spear, Steen, Strickland, Webster, Weichselbaum, Young, and Lex, *Pres't*—49.

NAYS—Messrs. Clay, G. W. Conrad, Govett, Irvine, Iseminger, McCully, Myers, Peterson, Shegog, C. K. Smith, Stringfellow, and Wallace—12.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Council proceeded to the second reading of Select Council bill No. 73, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with

Water, to lay water pipe on Chant street, St. Stephen's place, Fountain, Union, and Vanilla streets, and to lay water pipe and locate a fire-plug in the grounds of the Municipal Hospital, and to relay water pipes in Boyer place."

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, Clay, Collins, G. W. Conrad, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Flanagan, Foster, Gardy, Greger, Griffiths, Grim, Hall, Henry, Herse, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Jones, Leithead, Levi, Lowenstein, McCormick, McCully, Miller, Millick, Myers, Peterson, Reed, Reinstine, Rex, Ruhl, Schneider, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Webster, Weichselbaum, Young, and Lex, *Pres't*—51.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Also,

Proceeded to the second reading of Select Council resolution No. 87, entitled "Resolution relative to the transfer of the mortal remains of William Penn from England to America."

The resolution was twice read, and agreed to.

The preambles were agreed to.

The title was agreed to.

So Common Council concurred.

Also,

Proceeded to the second reading of Select Council resolution No. 81, entitled "Resolution of request to City Solicitor to furnish information to the Select and Common Councils relative to the occupancy of Ninth street, between Spring Garden street and Girard avenue, by the Philadelphia and Reading Railroad Company, lessees of the Philadelphia, Germantown, and Norristown Railroad Company."

The first resolution was again read.

Mr. Lowenstein

Moved that the resolution be indefinitely postponed.

Which was agreed to.

Council proceeded to the second reading of Select Council resolution No. 86, entitled "Resolution directing the Chief Commissioner of Highways to notify the owners of property on Moyamensing avenue, between Mifflin street and Snyder avenue, to curb, grade, and pave their sidewalks."

The resolution was again read.

Mr. Bardsley

Moved that the resolution be referred to the Committee on Highways of Common Council.

Which was agreed to.

Council proceeded to the consideration of the amendments of Select Council to Common Council bill No. 38, entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881."

The amendments were read.

Mr. Bardsley

Moved that Common Council concur in Select Council amendments.

Mr. Clay

Moved to amend by striking out the word "concur," and inserting the word "non-concur."

On agreeing to the motion, the yeas and nays were required by Mr. Rowan, seconded by Mr. Weichselbaum, and were as follows:

YEAS—Messrs. Claghorn, Clay, Collins, G. W. Conrad, W. Dunlap, Foster, Gardy, Grace, Greger, Grim, Hall, Herse, Hetrick, Hollingsworth, Irvine, Iseminger, Leithead, Maloney, McCormick, McCully, Peterson, Reinstine, Rex, Ruhl, Shegog, Simmons, U. C. Smith, Strickland, Stringfellow, Wallace, and Lex, *Pres't*—31.

NAYS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, G. T. Conrade, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Durham, Faunce, Flanagan, Govett, Griffiths, Henry, Holeman, Jones, Kauffman, Lowenstein, Merklee, Miller, Millick, Morris, Myers, Reed, Rowan, Schneider, Showaker, C. K. Smith, Spear, Steen, Webster, Weichselbaum, and Young—37.

Which was not agreed to.

The question recurring on the motion to concur,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, G. T. Conrade, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Durham, Faunce, Flanagan, Govett, Griffiths, Henry, Herse, Holeman, Jones, Kauffman, Lowenstein, Merklee, Miller, Millick, Morris, Myers, Patton, Reed, Rowan, Schneider, Showaker, C. K. Smith, Spear, Steen, Webster, Weichselbaum, and Young—39.

NAYS—Messrs. Clay, Collins, G. W. Conrad, W. Dunlap, Foster, Gardy, Grace, Greger, Grim, Hall, Hetrick, Irvine,

Iseminger, Leithead, Maloney, McCormick, McCully, Peterson, Reinstine, Rex, Ruhl, Shegog, Simmons, U. C. Smith, Strickland, Stringfellow, Wallace, and Lex, *Pres't*—28.

Less than two-thirds of those elected having voted in the affirmative,

It was not agreed to.

So Common Council non-concurred in the amendments of Select Council.

Mr. Clay

Moved that a Committee of Conference be appointed on the points of difference between the Chambers on Common Council bill No. 38, entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881."

Which was agreed to.

And the President appointed Messrs. Clay, Rex, and Iseminger the Committee of Conference on the part of Common Council.

Mr. Showaker

Moved to proceed to the third reading of bill No. 77, entitled "An Ordinance to authorize the City Solicitor to mark satisfied of record one of two bonds given by John Zeh, principal, and Thomas McLaughlin, surety, for five hundred (500) dollars."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, Carlin, Carpenter, Claghorn, G. W. Conrad, G. T. Conrade, Cross, Davis, Donaldson, H. C. Dunlap, Durham, Faunce, Flanagan, Foster, Gardy, Govett,

Grace, Greger, Griffiths, Henry, Hetrick, Hoffman, Holeman, Iseminger, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCully, Merklee, Miller, Morris, Myers, Patton, Reed, Reinstine, Rex, Rowan, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Webster, Weichselbaum, and Young—51.

NAYS—Messrs. Clay, Collins, Currie, Hollingsworth, Irvine, Millick, Peterson, Spear, Stringfellow, Wallace, and Lex, *Pres't*—11.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Rex

Moved to resume the second reading of bill No. 104, entitled "An Ordinance to authorize the construction of sewers on Eighth, Dudley, Green, and Emerald streets, and on Lancaster avenue."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read.

Mr. Rex

Moved to amend by adding the following: "*Provided*, Said excess does not exceed the sum of fifty (50) dollars."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Mr. Bardsley (seconded by Mr. Miller)

Moved to reconsider the vote whereby the Select Council resolution No. 86, entitled "Resolution directing the Chief Commissioner of Highways to notify the owners of property on Moyamensing avenue, between Mifflin street and Snyder avenue, to curb, grade, and pave their sidewalks," was referred to the Committee on Highways of Common Council.

Which was agreed to.

The question being on referring the resolution to the Committee on Highways of Common Council,

It was not agreed to.

The question being on agreeing to the resolution,

It was agreed to.

So Common Council concurred.

Mr. Henry

Moved to proceed to the second reading of bill No. 92, entitled "An Ordinance to grant permission to construct or build a bulk or oriel window at 805 North Broad street."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time,

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Bonsall, Carpenter, Cross, Donaldson, Durham, Faunce, Flanagan, Gardy, Govett,

Greger, Henry, Irvine, Jones, Leithead, Lowenstein, Merklee, Miller, Millick, Myers, Rex, Rowan, Schneider, Simmons, Spear, Steen, Webster, and Weichselbaum—29.

Nays—Messrs. Carlin, Claghorn, Clay, G. W. Conrad, G. T. Conrade, Davis, Grim, Hoffman, Holeman, Hollingsworth, Iseminger, Kauffman, McCormick, McCully, Morris, Patton, Reed, Ruhl, Shegog, Showaker, C. K. Smith, Stringfellow, and Wallace—23.

Less than a majority of those elected having voted in the affirmative,

It was not agreed to.

And the bill fell.

Also,

Moved to proceed to the second reading of bill No. 91, entitled "An Ordinance to grant permission to E. A. Corbin and J. P. Birch to erect a temporary frame shed on their wharf property at the northeast corner of Thirtieth and Locust streets, in the Twenty-seventh Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

Yeas—Messrs. G. W. Allen, Beaver, Carlin, Donaldson, H. C. Dunlap, Durham, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Griffiths, Grim, Hall, Henry, Hoffmann, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Lowenstein, McCormick, McCully,

Merklee, Miller, Morris, Myers, Patton, Peterson, Reed, Rex, Rowan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, Spear, Steen, Strickland, Stringfellow, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—51.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Rex

Moved to resume second reading of bill No. 56, entitled "An Ordinance to authorize a topographical survey of parts of the Twenty-first and Twenty-second Wards."

Which was agreed to.

The first section was again read.

Also,

Moved to amend by adding the following: "*Provided*, That not more than five hundred (500) dollars be paid for this work out of Item 10 of the appropriation to the Department of Surveys, for work ordered in 1881."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Also,

Moved to proceed to the second reading of bill No. 140, entitled "An Ordinance to authorize the construction of sewers on Sixth, St. Mary, Pine, Twelfth, Myrtle, Sixty-third, Mutter, Waldron, Marston, Stiles, Warnock, Darien, and Seventeenth streets."

Which was agreed to.

The first section was again read.

Mr. Millick

Moved to amend by striking out the following: "On Twelfth street, from Parrish to Myrtle street; thence on Myrtle street, from Twelfth to Thirteenth street."

Which was agreed to.

Mr. Strickland

Moved to amend by striking out the word "Vine" and insert the word "Arch," so far as it relates to the Sixty-third street sewer.

Which was agreed to.

The question being on the section as amended,

It was agreed to.

The second section was again read.

Mr. Rex

Moved to amend by adding the following: "*Provided*, Said excess does not exceed the sum of fifty (50) dollars."

Which was agreed to.

The section as amended was agreed to.

The title was read.

Also,

Moved to amend the title by striking out the words "Twelfth," "Myrtle."

Which was agreed to.

The title as amended was agreed to.

And the bill was laid over to print the amendments.

Mr. Wallace

Moved to proceed to the third reading of amended bill No. 118, entitled "An Ordinance supplementary to an Ordinance entitled 'An Ordinance to authorize the opening of

Beach street, from Otis to Rush street, in the Eighteenth Ward,' approved December 8, 1880."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Carlin, Claghorn, Clay, G. W. Conrad, G. T. Conrade, Cross, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Faunce, Flanagan, Foster, Gardy, Grace, Greger, Griffiths, Grim, Hall, Henry, Hoffman, Holeman, Irvine, Iseminger, Jones, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Miller, Millick, Morris, Myers, Patton, Peterson, Reed, Rex, Ruhl, Schneider, Shegog, Showaker, Simmons, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Wallace, Webster, Young, and Lex, *Pres't* —55.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Henry

Moved to proceed to the second reading of bill No. 122, entitled "An Ordinance to prevent the erection of bay and oriel windows."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The preamble was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Claghorn, Clay, G. W. Conrad, G. T. Conrade, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Flanagan, Foster, Gardy, Grace, Greger, Griffiths, Grim, Hall, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Myers, Patton, Peterson, Reed, Rowan, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Steen, Strickland, Stringfellow, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—58.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 144, entitled "An Ordinance to authorize the Keystone Horseshoe Company to erect a one-story frame building, to be covered with sheet iron, on the east side of Richmond, opposite Ash street, and adjoining Gunner's run, in the Eighteenth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. Bardsley, Beaver, Bonsall, Carlin, Carpenter, Claghorn, Clay, G. T. Conrade, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Flanagan, Gardy, Govett, Grace, Greger, Griffiths, Grim, Hall, Henry, Hoffman, Hole-

man, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Miller, Millick, Morris, Myers, Patton, Peterson, Reed, Rowan, Ruhl, Schneider, Shegog, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Stringfellow, Wallace, Webster, and Weichselbaum—54.

NAYS—Messrs. Foster and Lex, *Pres't*—2.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 145, entitled "An Ordinance to prohibit the sale, construction, and use, within the corporate limits of the City of Philadelphia, of toy pistols, devil's bombs, and other similar articles used for firing salutes, etc."

Which was agreed to.

The first section was again read.

Mr. Hollingsworth

Moved to amend by inserting the words "fire crackers" before the words "toy pistols."

Which was not agreed to.

The first section was agreed to.

The second section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Claghorn, Clay, G. W. Conrad, Cross, Davis, W. Dunlap, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Maloney, McCormick, McCully, Merklee, Morris, Myers, Patton, Peterson, Rowan, Ruhl, Schneider, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Stringfellow, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—51.

NAYS—Messrs. H. C. Dunlap, Griffiths, Lowenstein, and Reed—4.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Clay

Moved to proceed to the third reading of amended bill No. 71, entitled "An Ordinance to provide for lighting Chestnut street, from the Delaware to the Schuylkill river, with electric lights."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Claghorn, Clay, G. W. Conrad, G. T. Con-

rade, Cross, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Faunce, Flanagan, Foster, Gardy, Grace, Greger, Griffiths, Hall, Henry, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Patton, Peterson, Reed, Rowan, Ruhl, Schneider, Shegog, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—57.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also

Moved to proceed to the second reading of bill No. 114, entitled "An Ordinance to make an appropriation to pay the interest on the funded debt of the City of Philadelphia, falling due on the first day of July, 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carpenter, Claghorn, Clay, G. W. Conrad, Cross, Davis, Donaldson, W. Dunlap, Durham, Flanagan, Gardy, Greger, Grim, Hall, Henry, Hoffman, Holeman, Irvine, Iseminger,

Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, Morris, Myers, Patton, Peterson, Reed, Rowan, Ruhl, Schneider, Shegog, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Wallace, Webster, and Lex, *Pres't*—47.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Thursday, June 16, 1881.

Council met. Members present—

Messrs. Allen, G. W.,
Allen, P. A.,
Bardsley,
Beaver,
Bonham,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Faunce,
Flanagan,
Foster,
Gardy,
Govett,
Grace,
Greger,
Griffiths,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,

Messrs. Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Moran,
Morris,
Myers,
Neveling,
Patton,
Peterson,
Reed,
Reinstine,
Rex,
Rowan,
Ruhl,
Ryan,
Schneider,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Strickland,
Stringfellow,
Tasker,
Wallace,
Webster,
Weichselbaum,
Young,
Lex, *Pres't.*

The President

Presented a communication from the Board of Health, requesting a Committee of Conference with Councils in regard to devising ways and means for cleaning the streets for the balance of the year.

Mr. Peterson (on leave)

Offered the following, to wit: "Resolution to appoint a Joint Special Committee to confer with the Board of Health in the matter of street cleaning." (*Appendix No. 156.*)

Mr. Rowan

Moved that the communication and resolution be referred to the Committee on Finance.

Mr. Young

Moved that they be laid on the table.

Which was agreed to.

The President

Presented a communication from James W. M. Newlin, Esq., in reference to the illegality of the assessments for State tax on cars, made by the Board of Revision.

Which was referred to the Committee on Finance.

Mr. Hoffman (on leave)

Offered the following, to wit: "Resolution of instruction to the City Solicitor to proceed against certain bidders." (*Appendix No. 157.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Govett

Presented a petition of the citizens of the Seventh and Fourth Wards, for the repair of South street, between Twelfth and Thirteenth streets, in said wards.

Which was referred to the Committee on Highways.

Mr. Schneider (on leave)

Read in place a bill entitled "An Ordinance to construct a sewer on Germantown avenue, Nineteenth Ward."

Which was referred to the Committee on Surveys.

Mr. Patton (on leave),

Chairman of the Committee of Investigation appointed in pursuance of Resolution No. 126, entitled "Resolution to appoint a Committee of Investigation," presented a report, with resolution annexed, entitled "Resolution relative to the alleged corrupt solicitation of members of Common Council." (*Appendix No. 158.*)

The first resolution was again read.

Mr. Rowan

Moved that the further consideration of the resolution be postponed, and made the special order for 5½ o'clock.

Which was agreed to.

Mr. Bardsley

Moved that the rules requiring Councils to adjourn at seven o'clock be suspended.

Which was agreed to.

Mr. Claghorn

Presented a petition of citizens and property owners of the Twenty-seventh Ward, for an abatement of water-rents.

Which was referred to the Committee on Water Works.

Mr. Showaker

Presented a petition of citizens and property owners of the Nineteenth Ward, for a gas lamp on Fifth street, above Cumberland street, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Merklee

Presented a petition of citizens and property owners of the Twenty-ninth Ward, for water pipe on Master street, from Twenty-ninth to Thirty-first street, in said ward.

Which was referred to the Committee on Water Works.

Mr. Grace

Presented a petition of citizens and property owners of the Twentieth Ward, for a gas lamp on Eighth street, above Norris street, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Henry

Presented a communication from Post No. 6, G. A. R., for the lease of second and third floors of Town Hall, Germantown.

Which was referred to the Committee on City Property.

Also,

Presented a communication from the Young Men's Christian Association, in reference to charge for water-rent by the Water Department.

Which was referred to the Committee on Water Works.

Mr. Holeman

Presented a petition of citizens and property owners of the Twenty-fifth Ward, for the paving of Buckius street, from Richmond street to Thompson street, in said ward.

Which was referred to the Committee on Highways.

Mr. Conrade (on leave)

Offered the following, to wit: "Resolution to locate a fire-plug."

Which was referred to the Committee on Water Works.

Mr. Rowan (on leave)

Offered the following, to wit: "Resolution of instruction to the Committee on Finance, relative to State taxes."

Which was referred to the Committee on Finance.

Mr. Sorber

Presented a petition of the citizens and property owners of the Twenty-eighth Ward, to have Queen lane, between Thirty-fourth and Thirty-fifth streets, in said ward, placed on the City plan.

Which was referred to the Committee on Surveys.

Mr. Clay,

Chairman of the Committee on Finance, presented a report, with bill annexed, entitled "An Ordinance specifically appropriating Item 24, in the annual appropriation to the Department for Supplying the City with Water." (*Appendix No. 159.*)

Which was laid over to be printed.

Mr. Rowan

Moved to proceed to third reading of amended bill from Select Council, No. 55, entitled "An Ordinance granting permission to the Municipal Telegraph Company, of Philadelphia, to lay its patent conduits or conductors for electrical wires under certain streets."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carlin, Catanach, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Cross, Davis, Donaldson, H. C. Dunlap, Edwards, Faunce, Flanagan, Foster, Gardy, Grace, Greger, Griffiths, Grim, Hall, Henry, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Myers, Neveling, Patton, Peterson, Reinstine, Rex, Rowan, Ruhl, Ryan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Webster, Young, and Lex, *Pres't*—68.

NAYS—Mr. Govett—1.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred with an amendment.

Also,

Moved to proceed to third reading of amended bill from Select Council, entitled "An Ordinance to authorize Harrison Bro. & Co. to erect telegraph poles and wires on certain streets, and to place additional wires on the poles of the Police and Fire-alarm Telegraph."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Bonham, Carlin, Catanach, Claghorn, Collins, G. T. Conrade, Craig, Cross, Davis, Donaldson, H. C. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Griffiths, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, Merklee, Miller, Moran, Morris, Myers, Neveling, Patton, Reed, Reinstine, Rowan, Ruhl, Ryan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—67.

NAYS—Messrs. Clay and McCully—2.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred with an amendment.

Mr. Rex

Moved to proceed to second reading of amended bill No. 54, entitled "An Ordinance to authorize the construction of sewers on Medina, Howard, and Cumberland streets."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Donaldson, H. C. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Greger, Griffiths, Grim, Hall, Herse, Hoffman, Holeman, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Moran, Morris, Myers,

Neveling, Peterson, Reed, Reinstine, Rex, Rowan, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—64.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to third reading of amended bill No. 56, entitled "An Ordinance to authorize a topographical survey of parts of the Twenty-first and Twenty-second Wards."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Catanach, Clay, G. W. Conrad, G. T. Conrade, Craig, Cross, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Foster, Grace, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, Merklee, Miller, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Rex, Rowan, Ruhl, Schneider, Shegog, Simmons, C. K. Smith, U. C. Smith, Spear, Steen, Strickland, Stringfellow, Wallace, Webster, Young, and Lex, *Pres't*—60.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to third reading of amended bill No. 104, entitled "An Ordinance to authorize the construction of sewers on Eighth, Dudley, Green, and Emerald streets, and on Lancaster avenue."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Claghorn, G. W. Conrad, Craig, Currie, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Griffiths, Grim, Herse, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reed, Rex, Ruhl, Schneider, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—60.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to third reading of amended bill No. 140, entitled "An Ordinance to authorize the construction of sewers on Sixth, St. Mary, Pine, Sixty-third, Mutter, Waldron, Marston, Stiles, Warnock, Darien, and Seventeenth streets."

Which was agreed to.

The bill was read a third time.

And on its final passage,

Mr. Merklee (by unanimous consent)

Moved to amend by striking out the words "on Darien street, from the sewer in Poplar street to sewer in Girard avenue," in the first and only section, and the word "Darien" in the title.

Which was unanimously agreed to.

And the bill being on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Beaver, Carlin, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Griffiths, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, Merklee, Miller, Millick, Moran, Morris, Myers, Neveling, Patton, Peterson, Reed, Reinstine, Rex, Rowan, Ruhl, Ryan, Shegog, Schneider, Simmons, C. K. Smith, U. C. Smith, Sorber, Strickland, Stringfellow, Tasker, Wallace, Weichselbaum, Young, and Lex, *Pres't*—68.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Select Council informed Common Council that they had insisted upon their amendment to Common Council bill (Appendix No. 38) entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water, for the year 1881," and had appointed Messrs. Bumm, Reyburn, and Green a Com-

mittee of Conference on the part of Select Council, to confer with a similar committee, already appointed on the part of Common Council, on the subject of the difference existing between the two Chambers.

The hour of four o'clock having arrived, Council resumed second reading of bill No. 123, entitled "Supplement to the Ordinance entitled 'An Ordinance to create and organize a Paid Fire Department for the City of Philadelphia,' approved December 29, 1870." which had been made the special order for that hour.

The question being on the amendment to the amendment, by striking out in section 2 the words "Select Council of the City of Philadelphia," and inserting the words "Select and Common Councils in Joint Convention assembled," and striking out the pending amendment,

The yeas and nays were required by Mr. Rowan, seconded by Mr. Rex, and were as follows:

YEAS—Messrs. Catanach, Claghorn, Clay, Collins, Gardy, Grace, Grim, Hall, Henry, Hollingsworth, Irvine, Iseminger, Moran, Morris, Patton, Reinstine, Rex, Simmons, U. C. Smith, Strickland, Stringfellow, Wallace, and Lex, *Pres't*—23.

NAYS—Messrs. G. W. Allen, P. A. Allen, Beaver, Bonham, Bonsall, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Govett, Greger, Griffiths, Herse, Hetrick, Hoffman, Holeman, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCully, Merklee, Miller, Millick, Myers, Neveling, Peterson, Reed, Rowan, Ruhl, Ryan, Schneider, Shegog, Showaker, C. K. Smith, Sorber, Spear, Steen, Tasker, Webster, Weichselbaum, and Young—55.

Which was not agreed to.

The question recurring on the following amendment: By striking out all after the word "The," at the beginning of the first line, and inserting in lieu thereof the following:

"Select and Common Councils shall, at any stated meeting in the month of December, and whenever a vacancy shall occur by death, resignation, or otherwise, meet in Joint Convention to elect a Superintendent of the Fire Department; he shall hold his office until his successor be chosen and duly qualified, unless sooner removed by resolution of Councils,"

Mr. Miller (on leave)

Withdrew the amendment.

The question recurring on agreeing to the second section,

Also,

Moved to amend by striking out all after the word "The," at the beginning of the first line, and inserting the following: "Select and Common Councils shall, in Joint Convention, in the month of December, A. D. 1881, and every year thereafter, and whenever a vacancy shall occur by death, resignation, or removal by resolution of Councils, or otherwise, elect a Superintendent of the Fire Department, who shall hold his office for the term of one year from the first day of January next succeeding, or until his successor shall be chosen and duly qualified. He shall give bonds with two or more sureties, approved by the Finance Committee, in the sum of ten thousand (10,000) dollars."

Mr. Bardsley

Moved to amend the amendment by striking out the words "one year," when they occur, and inserting the words "three years" in lieu thereof.

Which was not agreed to.

The question recurring on agreeing to the amendment,

Mr. Hollingsworth

Moved to amend the amendment by striking out the words "one year," wherever they occur, and inserting the words "five years."

Mr. Moran

Moved that the bill be postponed till the first stated meeting in next September.

Which was not agreed to.

The question recurring on agreeing to the amendment to the amendment,

It was not agreed to.

The question recurring on agreeing to the amendment,

Mr. Henry

Moved to amend the amendment by striking out the words "one year" and inserting the words "two years."

Which was not agreed to.

The question recurring on agreeing to the amendment,

The yeas and nays were required by Mr. Bardsley, seconded by Mr. H. C. Dunlap, and were as follows:

YEAS—Messrs. G. W. Allen, Beaver, Carlin, Collins, G. T. Conrade, Craig, Cross, Currie, Donaldson, H. C. Dunlap, Faunce, Flanagan, Grace, Herse, Jefferis, Merklee, Miller, Millick, Reed, Shegog, Spear, Steen, Wallace, and Weichselbaum—24.

NAYS—Messrs. P. A. Allen, Bardsley, Bonham, Bonsall, Catanach, Claghorn, Clay, G. W. Conrad, Davis, Durham, Edwards, Foster, Gardy, Govett, Griffiths, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Moran, Morris, Myers, Neveling, Patton, Peterson, Reinstine, Rex, Rowan, Ruhl, Ryan, Schneider, C. K. Smith, Sorber, Strickland, Stringfellow, Tasker, Webster, Young, and Lex, *Pres't*—52.

Which was not agreed to.

Mr. Bardsley (seconded by Mr. Rowan)

Moved to reconsider the vote whereby the above amendment was not agreed to.

Mr. Clay

Moved to lay the motion to reconsider on the table.

On agreeing to the motion, the yeas and nays were required by Mr. Bardsley, seconded by Mr. Miller, and were as follows:

YEAS—Messrs. Claghorn, Clay, Collins, G. W. Conrad, Durham, Foster, Govett, Grim, Hall, Irvine, Moran, Reinstine, Simmons, U. C. Smith, Strickland, and Stringfellow —16.

NAYS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Bonham, Carlin, Catanach, G. T. Conrade, Craig, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Gardy, Grace, Greger, Griffiths, Herse, Hoffman, Hollingsworth, Iseminger, Jefferis, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCully, Merklee, Miller, Millick, Morris, Neveling, Patton, Peterson, Rex, Ruhl, Ryan, Schneider, Shegog, Showaker, C. K. Smith, Sorber, Spear, Steen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—53.

Which was not agreed to.

The question recurring on the motion to reconsider,

It was agreed to.

The question recurring on agreeing to the amendment,

Mr. Miller (by unanimous consent)

Withdrew the amendment.

The question recurring on agreeing to the second section,

Mr. Miller

Moved to amend by striking out all after the word "The," at the beginning of the section, and inserting the following: "Select and Common Councils of the City of Philadelphia, shall, in Joint Convention, in the month of December, A. D. 1881, and every three years thereafter, and whenever a vacancy shall occur by death, resignation, removal by resolution of Councils, or otherwise, elect a Superintendent of the Fire Department, who shall hold his office for the term of three years, or until his successor shall be elected and duly qualified. He shall give bonds with at least two sureties, in the sum of fifteen thousand (15,000) dollars, for the faithful performance of the duties of said office."

Mr. Hoffman

Moved that the bill be indefinitely postponed.

On agreeing to the motion,

The yeas and nays were required by Mr. Collins, seconded by Mr. Hall, and were as follows:

YEAS—Messrs. P. A. Allen, Bonham, Bonsall, Carlin, G. W. Conrad, Cross, Davis, H. C. Dunlap, Foster, Govett, Greger, Hetrick, Hoffman, Holeman, Jones, Kauffman, Levi, McCully, Moran, Neveling, Peterson, Reinstine, Ryan, Webster, Weichselbaum, and Young—26.

NAYS—Messrs. G. W. Allen, Bardsley, Beaver, Catanach, Claghorn, Clay, Collins, G. T. Conrade, Craig, Currie, Donaldson, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Grace, Griffiths, Grim, Hall, Henry, Herse, Hollingsworth, Irvine, Iseminger, Jefferis, Leithead, Lowenstein, Maloney, Merklee, Miller, Millick, Morris, Myers, Patton, Reed, Rex, Rowan, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Wallace, and Lex, *Pres't*—54.

Which was not agreed to.

The question recurring on agreeing to the amendment,

Mr. Rowan

Called for a division of the question.

The question being on agreeing to that portion of the amendment providing for the election of Superintendent of the Fire Department in Joint Convention, in the month of December, A. D. 1881.

The yeas and nays were required by Mr. Rowan, seconded by Mr. Miller, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carpenter, Claghorn, G. T. Conrade, Craig, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Griffiths, Hollingsworth, Jefferis, Jones, Kauffman, Leithead, Lowenstein, Maloney, Merklee, Miller, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rowan, Ruhl, Schneider, Shegog, Showaker, C. K. Smith, Sorber, Spear, Steen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—52.

NAYS—Messrs. Bonsall, Carlin, Catanach, Clay, Collins, G. W. Conrad, Davis, Durham, Foster, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Levi, McCully, Moran, Reinstine, Rex, Ryan, Simmons, U. C. Smith, Strickland, Stringfellow, and Tasker—28.

Which was agreed to.

The question being on agreeing to that portion providing that the term shall be for three years,

It was agreed to.

The question being on the section as amended,

The yeas and nays were required by Mr. Rowan, seconded by Mr. Gardy, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carpenter, Catanach, Claghorn, Collins, G. T.

Conrade, Craig, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Grace, Griffiths, Hall, Henry, Herse, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Leithead, Lowenstein, Maloney, McCully, Merklee, Miller, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rowan, Ruhl, Schneider, Shegog, Simmons, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—62.

NAYS—Messrs. Bonsall, Carlin, Clay, G. W. Conrad, Davis, Govett, Greger, Grim, Hetrick, Hoffman, Holeman, Kauffman, Levi, Moran, Reinstine, Ryan, and C. K. Smith —17.

Which was agreed to.

The third section was again read.

Mr. Miller

Moved to amend by striking out all after the word "the," before the word "Mayor," and inserting the following: "Select and Common Councils shall have the power to dismiss, by a resolution, the said Superintendent for cause, duly investigated and substantiated by a Joint Committee of Councils; no notice of such dismissal shall be otherwise required."

Which was agreed to.

The third section as amended was agreed to.

The fourth section was again read.

Mr. Rowan

Moved to amend by striking out the words and figures "four thousand five hundred (4,500) dollars," and inserting the words and figures "four thousand (4,000) dollars."

Mr. Miller

Moved to amend the amendment by striking out the words and figures "four thousand (4,000) dollars" and inserting the words and figures "three thousand five hundred (3,500) dollars."

Which was agreed to.

The amendment as amended was agreed to.

The fourth section as amended was agreed to.

The fifth section was again read, and agreed to.

The sixth section was again read.

Mr. Hoffman

Moved to amend by striking out the words "or apparatus, and of every other kind" and inserting the words "except repairing of apparatus, hose, harness, etc., which shall be done at the shop of the Department."

Which was agreed to.

The question being on the sixth section as amended,

Mr. Weichselbaum

Moved to amend by striking out the words "two newspapers" and inserting the words "five newspapers."

Which was not agreed to.

The question recurring on agreeing to the sixth section as amended,

It was agreed to.

The seventh section was again read.

Mr. Hoffman

Moved to amend by striking out the words "fairly and properly represented in" and inserting the words "at all times be entitled to one-half of."

Which was not agreed to.

The question recurring on agreeing to the seventh section,

Mr. Rowan

Moved to amend by striking out the words "That the political party in the minority of the City of Philadelphia shall at all times be fairly and properly represented in the persons employed in said department, and" and inserting the word "That."

Mr. Grim

Moved to amend the amendment by inserting before the word "no," the words "that the political party in the minority of the City of Philadelphia shall at all times be fairly and properly represented by one-third of the employees of said department and," and striking out the word "that."

On agreeing to the motion,

The yeas and nays were required by Mr. Grim, seconded by Mr. Hoffman, and were as follows:

YEAS—Messrs. Carlin, Clay, G. W. Conrad, Davis, Foster, Grim, Hetrick, Hoffman, Holeman, Iseminger, Levi, McCully, Moran, Reinstine, Ryan, U. C. Smith, Strickland, and Wallace—18.

NAYS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carpenter, Catanach, Claghorn, Collins, G. T. Conrade, Craig, Cross, Currie, Donaldson, H. C. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Grace, Greger, Griffiths, Henry, Herse, Hollingsworth, Jefferis, Jones, Leithead, Lowenstein, Maloney, Merklee, Miller, Millick, Morris, Nev-

eling, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Schneider, Shegog, Showaker, Simmons, C. K. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Webster, Weichselbaum, Young, and Lex, *Pres't*—56.

Which was not agreed to.

The question recurring on agreeing to the amendment,

It was agreed to.

The seventh section as amended was agreed to.

The eighth section was again read, and agreed to.

Mr. Miller (seconded by Mr. Griffiths)

Moved to reconsider the vote by which the first section was agreed to.

Which was agreed to.

The question recurring on agreeing to the first section,

Mr. Miller

Move to amend by striking out the words and figures "July, A. D. 1881," and inserting the words and figures "January, A. D. 1882."

Which was agreed to.

The first section as amended was agreed to.

The title was agreed to.

And the bill was laid over to print the amendments.

The hour of five and a half o'clock having arrived, Council resumed the second reading of resolution entitled "Resolution relative to the alleged corrupt solicitation of members of Common Council," which had been made the special order for this hour.

The question being on agreeing to the first resolution,

Mr. Rowan

Moved that the resolution be postponed and made the special order for six and a half o'clock.

Which was agreed to.

Mr. Clay

Moved to proceed to the second reading of bill No. 133, entitled "An Ordinance to make an appropriation to the Trustees of the City Ice Boats for the repair of City Ice Boat No. 1, and to authorize certain transfers from the annual appropriations of the Department of City Commissioners and Inspectors of the County Prison for the year 1881, and Department of Police for the year 1879, to the annual appropriation to the Trustees of the City Ice Boats for the year 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The second section was again read.

Mr. Holeman

Moved to amend by adding the following: "*Provided*, That the City Ice Boats shall not be used for towing, except assisting vessels in distress."

Which was not agreed to.

The second section was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Bonsall, Catanach, Claghorn, Clay, Collins, Craig,

Cross, Currie, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Griffiths, Hall, Henry, Herse, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Maloney, McCormick, Merklee, Miller, Millick, Morris, Myers, Neveling, Peterson, Reed, Rowan, Ruhl, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, and Lex, *Pres't* —60.

NAYS—Messrs. Carlin, Foster, Grim, Hetrick, Hoffman, Holeman, Levi, McCully, and Showaker—9.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Clay

Moved to proceed to the second reading of bill No. 132, entitled "An Ordinance to authorize certain transfers from the annual appropriations to the Department of City Commissioners, Department of Highways, Inspector of County Prison, and Board of Health for the year 1881, to the annual appropriation to the Board of Health for the same year."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Catanach, Claghorn, Clay, Collins, G. T. Conrade, Craig, Cross, Currie, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger,

Griffiths, Hall, Henry, Herse, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, Merklee, Miller, Millick, Morris, Myers, Neveling, Peterson, Reed, Rowan, Ruhl, Schneider, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—61.

NAYS—Mr. McCully—1.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 135, entitled "An Ordinance to authorize certain transfers in the annual appropriation to the Law Department for the year 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carpenter, Catanach, Claghorn, Clay, Collins, G. T. Conrade, Cross, Currie, Davis, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Griffiths, Hall, Herse, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowen-

stein, Maloney, McCormick, Miller, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rowan, Ruhl, Shegog, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—61.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 130, entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Bonham, Carlin, Carpenter, Claghorn, Clay, Collins, G. T. Conrade, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Griffiths, Henry, Herse, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, Miller, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rex, Rowan, Ruhl,

Shegog, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—62.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 134, entitled "An Ordinance to authorize satisfaction to be entered on the official bond of Robert E. Pattison, City Controller."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carlin, Carpenter, Claghorn, Clay, Collins, Craig, Cross, Currie, Davis, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Gardy, Govett, Grace, Greger, Griffiths, Hall, Irvine, Iseminger, Jefferis, Kauffman, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Myers, Patton, Peterson, Reed, Rex, Ruhl, Shegog, Showaker, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, String-

fellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—56.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 131, entitled "An Ordinance to authorize the Mayor to enter into a contract with the Peerless Brick Company, for furnishing terra cotta cornices and special buff bricks."

Which was agreed to.

The first and only section was again read, and agreed to

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Claghorn, Clay, Collins, Craig, Currie, Davis, H. C. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Hall, Herse, Hoffman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, McCormick, Merklee, Miller, Morris, Neveling, Reed, Rex, Rowan, Ruhl, Showaker, C. K. Smith, U. C. Smith, Sorber, Steen, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—53.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 75, entitled "An Ordinance to authorize a certain transfer in the annual appropriation to the Commissioners of Fairmount Park, for the year 1881."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Bonsall, Carlin, Catanach, Claghorn, Clay, Collins, G. T. Conrade, Cross, Currie, H. C. Dunlap, W. Dunlap, Edwards, Faunce, Flanagan, Gardy, Grace, Greger, Griffiths, Hall, Herse, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, Merklee, Miller, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—61.

NAYS—Messrs. Hoffman, Holeman, and McCully—3.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Select Council informed Common Council that they had receded from their amendments to Common Council bill,

(Appendix No. 38) entitled "An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water, for the year 1881," except the following: striking out in the 1st section the figures "15," and inserting in lieu thereof the figure "1," upon which they insist.

Mr. Clay

Moved that the Committee of Conference in the above bill be discharged, and that Common Council concur in the amendment of Select Council.

On agreeing to the motion,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carlin, Carpenter, Claghorn, Clay, Collins, G. T. Conrade, Craig, Cross, Currie, H. C. Dunlap, Edwards, Flanagan, Gardy, Govett, Grace, Greger, Griffiths, Hall, Henry, Herse, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, Merklee, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Wallace, Weichselbaum, Young, and Lex, *Pres't*—61.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

So Common Council concurred in Select Council's amendment.

Mr. Wallace

Moved to proceed to the second reading of bill No. 119, entitled "An Ordinance to authorize the paving of Twenty-fifth street, Myrtle street, and Wabash avenue."

Which was agreed to.

The first and only section was again read.

Also,

Moved to amend by striking out the following: "Twenty-fifth street, from Brown street to Poplar street, in the Fifteenth Ward, with cobble pavement, no cost for intersections."

Which was agreed to.

The section as amended was agreed to.

The title was read.

Also,

Moved to amend the title by striking out the words "Twenty-fifth street."

Which was agreed to.

The title as amended was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. P. A. Allen, Bardsley, Bonham, Carlin, Carpenter, Claghorn, Clay, Collins, G. T. Conrade, Craig, Cross, H. C. Dunlap, W. Dunlap, Edwards, Flanagan, Gardy, Grace, Greger, Hall, Herse, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, Miller, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rex, Ruhl, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Wallace, Weichselbaum, Young, and Lex, *Pres't*—52.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Messrs. Evans and Shotwell,

A Committee of Select Council, were introduced, who informed Common Council that Select Council had finished their business, and were ready to adjourn.

The President

Informed them that Common Council were engaged in passing bills, and requested that Select Council would remain in session that Common Council may have an opportunity of messaging the bills to them.

Mr. Wallace

Moved to proceed to the second reading of bill No. 137, entitled "An Ordinance to authorize the grading of Gowen avenue, from Sprague street to Stenton avenue, in the Twenty-second Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. P. A. Allen, Bardsley, Beaver, Bonham, Bonsall, Carlin, Carpenter, Catanach, Claghorn, G. T. Conrade, Craig, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Flanagan, Gardy, Govett, Grace, Greger, Hall, Henry, Herse, Hoffman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rex, Rowan, Ruhl, Shegog, Showaker, Simmons, C. K. Smith,

Sorber, Spear, Steen, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—63.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 138, entitled "An Ordinance to authorize the grading of Johnson and Kalos streets and Manayunk avenue."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. P. A. Allen, Bardsley, Beaver, Bonham, Carlin, Carpenter, Catanach, Clay, Craig, Cross, Currie, Donaldson, H. C. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Govett, Greger, Hall, Henry, Hoffman, Holeman, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Myers, Neveling, Patton, Peterson, Reed, Rex, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—60.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

The hour of 6½ o'clock having arrived, Council resumed the second reading of resolution entitled "Resolution relative to the alleged corrupt solicitation of members of Common Council," which had been made the special order for that hour.

The first resolution was again read.

Mr. Henry

Moved that the further consideration of the resolution be postponed and made the special order for 7 o'clock.

Which was not agreed to.

The first resolution was agreed to.

The second resolution was again read, and agreed to.

The title was agreed to.

Mr. McCormick

Offered the following, to wit: "Resolution of censure." (*Appendix No. 160.*)

The resolution was again read.

Mr. Patton

Moved to amend by striking out all after the word "hereby," and inserting the following words: "expelled from Common Council, and that his seat be declared vacant."

On agreeing to the motion,

The yeas and nays were required by Mr. Iseminger, seconded by Mr. Rowan, and were as follows:

YEAS—Messrs. Catanach, Clay, Collins, Gardy, Grace, Hall, Henry, Hollingsworth, Iseminger, Morris, Patton,

Simmons, U. C. Smith, Stringfellow, Wallace, and Lex, *Pres't*—16.

Nays—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Bonsall, Carlin, Carpenter, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Govett, Griffiths, Grim, Hetrick, Hoffman, Holeman, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Myers, Neveling, Peterson, Reed, Rowan, Ryan, Shegog, Showaker, Sorber, Spear, Steen, Tasker, Webster, Weichselbaum, and Young—55.

Which was not agreed to.

The question recurring on agreeing to the resolution,

The yeas and nays were required by Mr. Claghorn, seconded by Mr. McCormick, and were as follows:

Yeas—Messrs. Bardsley, Bonsall, Collins, W. Dunlap, Flanagan, Grace, Irvine, Iseminger, Jones, Maloney, McCormick, McCully, Patton, Peterson, Rowan, Shegog, Sorber, Steen, and Stringfellow—19.

Nays—Messrs. G. W. Allen, P. A. Allen, Beaver, Bonham, Carlin, Carpenter, Catanach, Clay, G. W. Conrad, G. T. Conrade, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Durham, Edwards, Foster, Griffiths, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Hollingsworth, Jefferis, Kauffman, Leithead, Levi, Lowenstein, Merklee, Miller, Millick, Morris, Myers, Neveling, Reed, Ryan, Showaker, Spear, Tasker, Webster, Weichselbaum, Young, and Lex, *Pres't*—46.

Which was not agreed to.

Mr. Rex

Moved to proceed to the second reading of bill No. 154, entitled "An Ordinance to revise the lines of Turner street,

between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carlin, Carpenter, Catanach, Clay, Collins, Craig, Currie, Davis, W. Dunlap, Edwards, Faunce, Flanagan, Foster, Grace, Grim, Hall, Henry, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, Merklee, Myers, Neveling, Peterson, Rex, Rowan, Ruhl, Shegog, Showaker, C. K. Smith, U. C. Smith, Sorber, Steen, Stringfellow, Tasker, Wallace, Webster, Young, and Lex, *Pres't*—53.

NAYS—Mr. McCully—1.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 141, entitled "An Ordinance to authorize the construction of sewers on Market street, between Merrick street and Twenty-second street."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carlin, Carpenter, Catanach, Clay, Collins, Craig, Currie, Davis, Donaldson, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Grace, Greger, Grim, Hall, Henry, Hoffman, Holeman, Iseminger, Jefferis, Jones, Kauffman, Maloney, McCormick, McCully, Millick, Myers, Neveling, Peterson, Reed, Rex, Rowan, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Stringfellow, Tasker, Wallace, Webster, and Lex, *Pres't*—55.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 101, entitled "An Ordinance to revise the lines of Gorgas street, between Germantown avenue and Chew street, in the Twenty-second Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Bonsall, Carlin, Carpenter, Catanach, Clay,

Craig, Davis, W. Dunlap, Edwards, Flanagan, Foster, Gardy, Grace, Greger, Hall, Henry, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, Merklee, Miller, Morris, Myers, Peterson, Reed, Rex, Rowan, Ruhl, Shegog, Simmons, U. C. Smith, Sorber, Steen, Stringfellow, Tasker, Wallace, and Lex, *Pres't*—50.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Miller (seconded by Mr. Shegog)

Moved to reconsider the vote on the final passage of bill No. 92, entitled "An Ordinance to grant permission to construct or build a bulk or oriel window at 805 North Broad street."

On agreeing to the motion,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Bonsall, Carlin, Carpenter, Collins, Craig, Cross, Davis, Donaldson, Durham, Edwards, Faunce, Flanagan, Gardy, Greger, Hall, Henry, Hollingsworth, Irvine, Jefferis, Jones, Leithead, Maloney, McCormick, Merklee, Miller, Millick, Morris, Myers, Neveling, Reed, Rowan, Ruhl, Shegog, Showaker, Simmons, U. C. Smith, Sorber, Steen, Tasker, and Webster—45.

NAYS—Messrs. Clay, W. Dunlap, Grace, Grim, Hoffman, Holeman, Kauffman, and McCully—8.

Which was agreed to.

The question being on the final passage of the bill,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Bonsall, Carpenter, Collins, Craig, Cross, Currie, Davis, Donaldson, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Gardy, Greger, Hall, Henry, Hoffman, Irvine, Jefferis, Jones, Leithead, Maloney, Merklee, Miller, Millick, Morris, Myers, Neveling, Reed, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Tasker, and Webster—45.

NAYS—Messrs. Clay, Grace, Grim, Hollingsworth, Iseminger, Kauffman, McCully, Rex, and Stringfellow—9.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Collins

Moved to proceed to the second reading of bill No. 147, entitled "An Ordinance to change the location of public lamps."

Which was agreed to.

The first and only section was again read.

Also,

Moved to amend by striking out the following words: "Orchard street to Green street, above Fourth," and "from Green lane, west of Ridge avenue, to Green lane, in front of Central M. E. Church."

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonsall, Carpenter, Collins, Craig, Cross, Davis, Durham, Edwards, Flanagan, Foster, Gardy, Grace, Greger, Henry, Holeman, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, McCormick, McCully, Merklee, Miller, Millick, Morris, Myers, Peterson, Reed, Rex, Ruhl, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Stringfellow, Tasker, Wallace, Webster, and Lex, *Pres't*—47.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Select Council informed Common Council that they had received a report from the Committee on City Property, with a resolution annexed, entitled "Resolution of instruction to the Commissioner of Markets and City Property, relative to fountains in Rittenhouse Square," which they had passed.

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

That they had received a report from the Committee on Water Works, with a resolution annexed, entitled "Resolution to direct the City Controller to countersign a warrant

drawn by the Chief-Engineer of the Water Department, in favor of R. D. Wood & Co.," which they had passed.

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

That they have received a report from the Committee on Water Works, with a resolution annexed, entitled "Resolution to direct the City Controller to countersign warrants drawn by the Chief-Engineer of the Water Department for the payment of certain watchmen," which they had passed.

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

That they had passed a resolution entitled "Resolution requesting the Mayor to return to Common Council the bill entitled 'An Ordinance to authorize the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, in the Fifteenth Ward.'"

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

That they had passed a resolution entitled "Resolution requesting the Chief-Engineer and Surveyor to enforce a certain ordinance providing for cleanliness and health."

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

That they had received a report from the Committee on City Property, with a bill annexed, entitled "Resolution discharging the Committee on City Property from the further consideration of bill entitled 'An Ordinance for the removal of the market sheds on Spring Garden street,'" which they had passed.

The resolution was twice read, and agreed to.

The title was agreed to.

So Common Council concurred.

Also,

That they had received a report from the Committee on Bi-Centennial Anniversary, with a resolution annexed, entitled "Resolution directing the Clerks of Councils to insert in the annual appropriation to their department for 1882, an item for the celebration of the Two Hundredth Anniversary of the Landing of William Penn," which they had passed.

The resolution was again read.

Mr. Bardsley

Moved that the resolution be referred to the Committee on Finance of Common Council.

Which was agreed to.

Also,

That they had received a report from the Committee on Water Works, with a bill annexed, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to lay water pipe on Twentieth, Aspen, and Smedley streets," which they had passed.

Council proceeded to the second reading of the bill.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Carlin, Carpenter, Collins, Craig, Cross, Currie, Davis, Donaldson, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Grace, Greger, Grim, Hall, Henry, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, Merklee, Miller, Morris, Myers, Peterson, Reed, Rex, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen Stringfellow, Tasker, and Lex, *Pres't*—54.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Also,

That they had reconsidered their action on the final passage of Select Council bill entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to lay water pipe on Brown, Parrish, Twenty-first, Norwood, Coulter, and Rowan streets, Kershaw avenue, Downing and Twentieth streets," returned by his Honor the Mayor, in accordance with a resolution this day adopted, and amended the same by striking out of Section 1 the name "Rowan" and inserting in lieu thereof the name "Ruan," and by striking out of the title the name "Rowan" and inserting in lieu thereof the name "Ruan."

The amendment was read.

On agreeing to the amendment,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonham, Bonsall, Carlin, Carpenter, Catanach, Collins, Craig, Cross, Currie, Davis, W. Dunlap, Durham, Edwards, Flanagan, Foster, Gardy, Grace, Greger, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, McCormick, McCully, Merklee, Miller, Millick, Myers, Peterson, Reed, Rex, Ruhl, Shegog, Simmons, C. K. Smith, U. C. Smith, Steen, Stringfellow, Tasker, Webster, and Lex, *Pres't*—51.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred.

Mr. Wallace

Moved to proceed to the second reading of bill No. 139, entitled "An Ordinance to authorize the opening of Tucker street, from Tacony to James street, in the Twenty-third Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Bonham, Bonsall, Carlin, Carpenter, Catanach, Clay, Collins,

Craig, Cross, Davis, Donaldson, W. Dunlap, Durham, Edwards, Faunce, Gardy, Grace, Greger, Grim, Hall, Henry, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Miller, Morris, Myers, Peterson, Reed, Rex, Rowan, Ruhl, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Stringfellow, Tasker, Wallace, Webster, and Lex, *Pres't*—56.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 82, entitled "An Ordinance to repeal part of an ordinance, approved July 5, 1877, entitled 'An Ordinance to revise the lines of Fifty-second street, between Race and Vine streets.'"

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bonham, Carlin, Carpenter, Clay, Craig, Cross, Davis, Donaldson, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Greger, Grim, Hall, Henry, Hoffman, Holeman, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, Merklee, Miller, Myers, Peterson, Reed, Rex, Rowan, Ruhl, Showaker,

Simmons, C. K. Smith, U. C. Smith, Steen, Stringfellow, Tasker, Wallace, Webster, and Lex, *Pres't*—48.

NAYS—Messrs. W. Dunlap and McCully—2.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to the second reading of bill No. 81, entitled "An Ordinance to authorize the opening of Fifty-second street, from Market street to Girard avenue, in the Twenty-fourth Ward."

Which was agreed to.

The first and only section was again read.

Mr. Hall

Moved that the bill be referred to the Committee on Surveys.

Which was agreed to.

Mr. Wallace

Moved to proceed to the second reading of bill No. 152, entitled "An Ordinance to authorize the opening of Carpenter street, from Twenty-third street to Gray's Ferry road, in the Thirtieth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Clay, Craig, Cross, Davis, Donaldson, Durham, Edwards, Faunce, Flanagan, Gardy, Grace, Greger, Grim, Hall, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Myers, Peterson, Reed, Rex, Ruhl, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Stringfellow, Tasker, Wallace, Webster, and Lex, *Pres't*—55.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Select Council informed Common Council that they had concurred in the following, to wit:

"An Ordinance to authorize the construction of sewers on Medina, Howard, and Cumberland streets." (No. 54.)

"An Ordinance to authorize a topographical survey of parts of the Twenty-first and Twenty-second Wards." (No. 56.)

"An Ordinance to provide for lighting Chestnut street, from the Delaware to the Schuylkill River, with electric lights." (No. 71.)

"An Ordinance to authorize a certain transfer in the annual appropriation to the Commissioners of Fairmount Park, for the year 1881." (No. 75.)

"An Ordinance to authorize the City Solicitor to mark satisfied of record one of two bonds given by John Zeh, principal, and Thomas McLaughlin, surety, for five hundred (500) dollars." (No. 77.)

"An Ordinance to grant permission to E. A. Corbin and J. B. Birch to erect a temporary frame shed on their wharf property at the northeast corner of Thirtieth and Locust streets, in the Twenty-seventh Ward." (No. 91.)

"An Ordinance directing a topographical survey on Plan 279, Twenty-sixth Ward." (No. 103.)

"An Ordinance to authorize the construction of sewers on Eighth, Dudley, Green, and Emerald streets, and on Lancaster avenue." (No. 104.)

"An Ordinance to make an appropriation to pay the interest on the funded debt of the City of Philadelphia, falling due on the first day of July, 1881." (No. 114.)

"An Ordinance supplementary to an ordinance entitled 'An Ordinance to authorize the opening of Beach street, from Otis to Rush street, in the Eighteenth Ward,' approved December 8, 1880." (No. 118.)

"An Ordinance to authorize the paving of Myrtle street and Wabash avenue." (No. 119.)

"An Ordinance to prevent the erection of bay and oriel windows." (No. 121.)

"An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881." (No. 130.)

"An Ordinance to authorize the Mayor to enter into a contract with the Peerless Brick Company, for furnishing terra cotta cornices and special buff bricks." (No. 131.)

"An Ordinance to authorize certain transfers from the annual appropriations to the Department of City Commissioners, Department of Highways, Inspector of County Prison, and Board of Health for the year 1881, to the annual appropriation to the Board of Health for the same year." (No. 132.)

"An Ordinance to make an appropriation to the Trustees of the City Ice Boats for the repair of City Ice Boat No. 1, and to authorize certain transfers from the annual appropriations of the Departments of City Commissioners and Inspectors of the County Prison for the year 1881, and Department of Police for the year 1879, to the annual appropriation to the Trustees of the City Ice Boats for the year 1881." (No. 133.)

"An Ordinance to authorize satisfaction to be entered on the official bond of Robert E. Pattison, City Controller." (No. 134.)

"An Ordinance to authorize certain transfers in the annual appropriation to the Law Department for the year 1881." (No. 135.)

"Resolution to discharge the Committee on Finance from the consideration of an ordinance authorizing the Register of Wills to appoint two additional clerks." (No. 136.)

"An Ordinance to authorize the grading of Gowen avenue, from Sprague street to Stenton avenue, in the Twenty-second Ward." (No. 137.)

"An Ordinance to authorize the construction of sewers on Sixth, St. Mary, Pine, Sixty-third, Mutter, Waldron, Marston, Stiles, Warnock, and Seventeenth streets." (No. 140.)

"An Ordinance to authorize The Keystone Horseshoe Company to erect a one-story frame building, to be covered with sheet iron, on the east side of Richmond, opposite Ash street, and adjoining Gunner's run, in the Eighteenth Ward." (No. 144.)

"An Ordinance to prohibit the sale, construction, and use, within the corporate limits of the City of Philadelphia, of toy pistols, devil's bombs, and other similar articles used for firing salutes, etc." (No. 145.)

"Resolution of request to the Mayor to return to Councils a certain bill." (No. 149.)

"Resolution of request to the Board of Health to hand over to Israel W. Durham (contractor for cleaning the streets in the Eighth and Tenth Districts) warrants for the month of December, 1880, withheld by them." (No. 153.)

Also,

In the amendment of Common Council to Select Council bill No. 55, entitled "An Ordinance granting permission to the Municipal Telegraph Company, of Philadelphia, to lay its patent conduits or conductors for electrical wires under certain streets."

Also,

In the amendment of Common Council to Select Council bill No. 36, entitled "An Ordinance to authorize Harrison Bro. & Co., to erect telegraph poles and wires on certain streets, and to place additional wires on the poles of the Police and Fire-alarm Telegraph."

A message was received from his Honor the Mayor, returning, in pursuance of resolution of Councils, bill entitled "An Ordinance to authorize the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, in the Fifteenth Ward."

Mr. Hoffman

Moved that Council do now adjourn.

Which was agreed to.

And the President declared Council adjourned until September 1, 1881.

Monday, August 1, 1881.

A Special Meeting of Common Council was held this afternoon, pursuant to the following call:

Philadelphia, July 27, 1881.

WM. H. LEX, ESQ.,
President of Common Council.

SIR:—Please call a Special Meeting of Common Council for next Monday, August 1, 1881, at 3 o'clock P. M., for the purpose of considering the subject of cleaning the streets.

HENRY CLAY,	S. S. HOLLINGSWORTH,
JOHN W. PATTON,	WM. B. IRVINE,
S. C. COLLINS,	CHAS. F. ISEMINGER,
CHAS. W. HENRY,	J. DALLAS HALL,
A. A. CATANACH,	JOHN BARDSLEY,
STEPHEN HERSE,	CHAS. A. KAUFFMAN,

THEODORE D. SPEAR.

—

Philadelphia, July 28, 1881.

JOHN ECKSTEIN, ESQ.,
Clerk of Common Council.

DEAR SIR:—Please call a Special Meeting of Common Council agreeably to the above request.

WM. HENRY LEX,
President of Common Council.

Council met. Members present—

Messrs. Allen, G. W.,	Messrs. Leithead,
Allen, P. A.	Levi,
Bardsley,	Lowenstein,
Beaver,	Maloney,
Carpenter,	McCormick,
Catanach,	Merklee,
Claghorn,	Miller,
Clay,	Myers,
Collins,	Neveling,
Craig,	Patton,
Cross,	Peterson,
Currie,	Reed,
Davis,	Reinstine,
Donaldson,	Rowan,
Dunlap, W.,	Ruhl,
Durham,	Schneider,
Edwards,	Shallcross,
Faunce,	Simmons,
Flanagan,	Smith, C. K.,
Gardy,	Smith, U. C.,
Grace,	Sorber,
Grim,	Spear,
Henry,	Steen,
Herse,	Strickland,
Holeman,	Van Dusen,
Hollingsworth,	Wallace,
Irvine,	Webster,
Iseminger,	Weichselbaum,
Jefferis,	Young,

Lex, *Pres't.*

The President

Presented a communication from the City Solicitor in relation to the cleaning of the streets. (*Appendix No. 161.*)

Mr. Clay

Read in place a bill entitled "An Ordinance to repeal the proviso to ordinance entitled 'An Ordinance to provide for the cleaning of the streets and the removal of ashes and

garbage therefrom, when the districts are not under contract.'"

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance to approve the sureties and the contract of W. Bugbee Smith to take down, transfer, and re-erect the West Philadelphia Stand Pipe on a lot near the Spring Garden Water Works, bounded by Thirty-third street and the Reading and Connecting Railroads, or to furnish and erect a new stand pipe upon said lot."

Which was referred to the Committee on Finance.

Mr. Claghorn

Moved that Council take a recess for the space of ten minutes, to enable the Committee on Finance to report on the bill just presented to repeal the proviso.

Which was agreed to.

Ten minutes having expired,

The President

Called Council to order.

Mr. Clay,

Chairman of the Committee on Finance, presented a report, with bill annexed, entitled "An Ordinance to repeal the proviso to ordinance entitled 'An Ordinance to provide for the cleaning of the streets and the removal of ashes and garbage therefrom, when the districts are not under contract.'" (*Appendix No. 162.*)

Which was laid over to be printed.

Also,

Moved that when Council adjourn it be to meet to-morrow morning, the 2d inst., at 11 o'clock A. M.

Which was agreed to.

The President

Called Mr. Henry to the Chair.

Mr. Lex

Offered the following, to wit: "Resolution requesting the Board of Health to reorganize the Street Cleaning Department." (*Appendix No. 163.*)

The resolution was again read.

Mr. Clay

Moved to amend by striking out all after the word "Health" on third line, and insert the following: "be requested to dispense with the Street Inspectors, and that the Mayor be, and he is, hereby requested to require the police officers to make daily reports of the condition of the streets, and of the manner in which contractors comply with their contracts to clean the streets and remove garbage and ashes, and the Mayor to make return of such reports to the Board of Health daily."

Which was not agreed to.

The question recurring on agreeing to the resolution,

The yeas and nays were required by Mr. Miller, seconded by Mr. Lowenstein, and were as follows:

YEAS--Messrs. Bardsley, Beaver, Catanach, Claghorn, Clay, Craig, Currie, Davis, Donaldson, W. Dunlap, Edwards, Faunce, Gardy, Grace, Grim, Henry, Herse, Holeman, Irvine, Iseminger, Jefferis, Leithead, Levi, Maloney, McCormick, Myers, Reinstine, Rowan, Shallcross, Simmons, U. C. Smith, Sorber, Spear, Steen, Strickland, Van Dusen, Webster, Weichselbaum, Young, and Lex, *Pres't*—40.

NAYS—Messrs. Hollingsworth, Lowenstein, Merklee, Miller, and Reed—5.

Which was agreed to.

The title was agreed to.

The President (resuming the Chair)

Presented a communication from the Board of Health for an appropriation of five thousand dollars for the removal of nuisances.

Which was referred to the Committee on Finance.

Also,

Presented a bill entitled "An Ordinance to authorize certain transfers in the annual appropriation to the Department of Highways for the year 1881."

Which was referred to the Committee on Finance.

Also,

Presented a bill entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the paving of Woodland avenue, from Forty-ninth street to Cobb's creek, in the Twenty-seventh Ward.' "

Which was referred to the Committee on Highways.

Mr. Cross (on leave)

Read in place a bill entitled "An Ordinance to authorize the erection of oriel windows."

Which was referred to the Committee on Police.

Mr. Clay

Moved to suspend the rules for the purpose of presenting a communication from the Receiver of Taxes, in relation to the appointment of H. W. Tener, Collector of Delinquent Taxes,

and a communication from H. W. Tener, submitting his surety as Collector of Delinquent Taxes.

On agreeing to the motion,

The yeas and nays were required by Mr. Miller, seconded by Mr. Lowenstein, and were as follows:

YEAS—Messrs. Bardsley, Beaver, Catanach, Claghorn, Clay, Durham, Gardy, Grace, Grim, Henry, Holeman, Hollingsworth, Irvine, Iseminger, Levi, Maloney, McCormick, Myers, Reinstine, Shallcross, Simmons, U. C. Smith, Sorber, Strickland, Van Dusen, and Lex, *Pres't*—26.

NAYS—None.

Less than a quorum of members voting,

The President

Ordered a call of the House, when the following members answered to their names:

Messrs. P. A. Allen, Bardsley, Beaver, Carpenter, Catanach, Claghorn, Clay, Craig, Currie, Donaldson, W. Dunlap, Durham, Faunce, Gardy, Grace, Grim, Henry, Herse, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Leithead, Levi, Maloney, McCormick, Merklee, Miller, Myers, Neveling, Reed, Reinstine, Rowan, Shallcross, Simmons, U. C. Smith, Sorber, Spear, Strickland, Van Dusen, Webster, Weichselbaum, Young, and Lex, *Pres't*—45.

A quorum of members answering to their names,

The President

Ordered the yeas and nays to be called on suspending the rules, and were as follows:

YEAS—Messrs. Beaver, Catanach, Claghorn, Clay, Donaldson, W. Dunlap, Durham, Gardy, Grace, Grim, Henry, Holeman, Hollingsworth, Irvine, Iseminger, Levi, Maloney, McCormick, Myers, Reinstine, Shallcross, Simmons, U. C. Smith, Sorber, Strickland, Van Dusen, and Lex, *Pres't*—27.

NAYS—Messrs. P. A. Allen, Carpenter, Craig, Currie, Herse, Leithead, Lowenstein, Merklee, Miller, Neveling, Reed, Rowan, Spear, Steen, Webster, Weichselbaum, and Young—17.

Less than a quorum of members voting,

The President

Ordered a call of the House, when the following members answered to their names:

Messrs. P. A. Allen, Beaver, Carpenter, Catanach, Claghorn, Clay, Craig, Davis, Donaldson, W. Dunlap, Durham, Gardy, Grace, Grim, Henry, Herse, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Leithead, Levi, McCormick, Merklee, Miller, Myers, Neveling, Reed, Reinstine, Shallcross, Simmons, U. C. Smith, Sorber, Spear, Strickland, Van Dusen, Webster, Weichselbaum, Young, and Lex, *Pres't*—41.

Less than a quorum answering to their names,

The President

Declared Council adjourned.

Tuesday, August 2, 1881.

An Adjourned Special Meeting of Common Council was held this morning, pursuant to adjournment.

Members present—

Messrs. Allen, G. W.,	Messrs. Jefferis,
Allen, P. A.,	Jones,
Beaver,	Maloney,
Carpenter,	Merklee,
Catanach,	Myers,
Clay,	Patton,
Craig,	Peterson,
Cross,	Reinstine,
Davis,	Rowan,
Donaldson,	Ruhl,
Dunlap, W.,	Schneider,
Durham,	Shegog,
Faunce,	Simmons,
Grace,	Smith, U. C.,
Griffiths,	Sorber,
Grim,	Steen,
Henry,	Van Dusen,
Holeman,	Wallace,
Hollingsworth,	Webster,
Irvine,	Young,
Iseminger,	Lex, *Pres't.*

Less than a quorum of members being present,

The President

Declared Council adjourned.

Tuesday, August 9, 1881.

A Special Meeting of Common Council was held this morning, pursuant to the following call:

Philadelphia, August 3, 1881.

MR. JOHN ECKSTEIN,
Clerk of Common Council.

DEAR SIR:—In recognition of the requirements of public business, and by virtue of the authority conferred upon me by the rules, I hereby call a Special Meeting of Common Council for Tuesday next, August 9th, at 11 o'clock A. M., for the purpose of considering the street-cleaning question, and also in order to present (for reference to the Finance Committee) a communication from the Receiver of Taxes announcing the appointment of Henry B. Tener as Collector of Delinquent Taxes, and a letter from Mr. Tener naming his security.

Yours, truly,

WM. HENRY LEX,
President of Common Council.

Members present—

Messrs. G. W. Allen,
Bardsley,
Beaver,
Bonham,
Bonsall,
Carlin,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Durham,
Edwards,
Faunce,
Flanagan,
Foster,
Gardy,
Govett,
Grace,
Greger,
Griffiths,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Holeman,
Hollingsworth,
Irvine,
Iseminger,

Messrs. Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Morris,
Neveling,
Patton,
Peterson,
Reed,
Reinstine,
Rowan,
Ruhl,
Ryan,
Schneider,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Strickland,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Young,

Lex, *Pres't.*

Mr. Clay

Moved to proceed to second reading of bill No. 162, entitled "An Ordinance to provide for the cleaning of the streets and the removal of ashes and garbage therefrom, when the districts are not under contract."

Which was agreed to.

The first and only section was again read.

Mr. Bardsley

Moved to amend by striking out the following words in the proviso, viz.: "under new specifications."

Which was agreed to.

The question being on the section as amended,

Mr. Clay

Moved to strike out the proviso.

Which was agreed to.

The section as amended was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonham, Bonsall, Carlin, Carpenter, Catanach, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster. Gardy, Govett, Grace, Greger, Griffiths, Grim, Hall, Henry, Herse, Hetrick, Holeman, Hollings-

worth, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Neveling, Patton, Peterson, Reed, Reinstine, Rowan, Ruhl, Ryan, Schneider, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Young, and Lex, *Pres't*—77.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Vanderslice (on leave)

Offered the following, to wit: "Resolution of request to his Honor the Mayor, relative to garbage and rubbish." (*Appendix No. 164.*)

The resolution was twice read and agreed to.

The title was agreed to.

The President

Presented a communication from the Receiver of Taxes, relative to the appointment of H. B. Tener, Collector of Outstanding or Delinquent Taxes.

Which was referred to the Committee on Finance.

Also,

Presented a communication from H. B. Tener, submitting his surety as Collector of Outstanding or Delinquent Taxes.

Which was referred to the Committee on Finance.

Mr. Clay (on leave),

Chairman of the Committee on Finance, presented a report, with bill annexed, entitled "An Ordinance to approve the sureties and the contract of W. Bugbee Smith, to take down, transfer, and re-erect the West Philadelphia Stand Pipe on a lot near the Spring Garden Water Works, bounded by Thirty-third street and the Reading and Connecting Railroads, or to furnish and erect a new stand pipe upon said lot." (*Appendix No. 165.*)

Which was laid over to be printed.

Also (on leave),

Moved to proceed to second reading of bill No. 159, entitled "An Ordinance specifically appropriating Item 24 in the annual appropriation to the Department for Supplying the City with Water."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Catanach, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Currie, Davis, Donaldson, H. C. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Griffiths, Grim, Hall, Henry, Herse, Hetrick, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Neveling, Reed, Reinstine, Rowan, Ruhl, Ryan, Schneider, Shallcross,

Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Young, and Lex, *Pres't*—72.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Rowan (on leave)

Offered the following, to wit: "Resolution of instruction to the Chief-Engineer and Surveyor, relative to stone bridge at Market street." (*Appendix No. 166.*)

The resolution was twice read, and agreed to.

The title was agreed to.

Mr. Collins (on leave)

Read in place a bill entitled "An Ordinance to authorize Messrs. Hoopes & Townsend to lay a shaft across and under Buttonwood street, east of Broad street."

Which was referred to the Committee on Highways.

Mr. Clay

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Thursday, September 1, 1881.

Council met. Members present—

Messrs. Allen, G. W.,
Bardsley,
Beaver,
Bement,
Bonham,
Carpenter,
Catanach,
Claghorn,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Dunlap, W.,
Durham,
Edwards,
Flanagan,
Foster,
Gardy,
Govett,
Greger,
Grim,
Hall,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jones,
Kauffman,
Messrs. Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Morris,
Myers,
Neveling,
Peterson,
Reed,
Reinstine,
Rowan,
Ruhl,
Ryan,
Schneider,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, U. C.,
Sorber,
Spear,
Steen,
Strickland,
Stringfellow,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Weichselbaum,
Young,
Lex, *Pres't.*

A message was received from his Honor the Mayor, relative to the approval of bill entitled "An Ordinance to repeal the proviso to ordinance entitled 'An Ordinance to provide for the cleaning of the streets and the removal of ashes and garbage therefrom, when the districts are not under contract.'" (*Appendix No. 167.*)

The President

Presented a communication from the Receiver of Taxes, in regard to an examination of his official course as Receiver of Taxes. (*Appendix No. 168.*)

The communication was read.

Mr. Claghorn

Moved that the communication be referred to a Special Committee of five.

Mr. H. C. Dunlap

Moved that the communication be referred to the Committee on Law.

Which was agreed to.

Mr. H. C. Dunlap (on leave)

Offered the following, to wit:

Resolution of inquiry into the legality of the official bond of John Hunter, Receiver of Taxes.

Which was referred to the Committee on Law.

The President

Presented a communication from the Philadelphia, Wilmington, and Baltimore Railroad, with an ordinance annexed, relative to leasing a lot of ground on the Almshouse property to the West Chester and Philadelphia Railroad Company.

Which was referred to the Committee on City Property.

Also,

Presented a petition of Catharine Mansfield, for a sewer on South street, between Seventeenth and Eighteenth streets.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of property owners, for the opening, grading, and paving of Thirty-first street, from York to Ridge avenue, and Herman street, from Twenty-ninth street to Thirty-first street, in the Twenty-eighth Ward.

Which was referred to the Committee on Highways.

Also,

Offered the following, to wit: "Resolution to change the place of voting in the Second Division, Thirtieth Ward."

Which was referred to the Committee on Election Divisions.

Mr. Young (on leave)

Read in place a bill entitled "An Ordinance changing the place of voting in the Fifth Division, First Ward."

Which was referred to the Committee on Election Divisions.

Mr. Spear (on leave)

Read in place a bill entitled "An Ordinance to regulate the manner of giving out the contracts for the repairing of streets."

Which was referred to the Committee on Highways.

Also (on leave),

Offered the following, to wit: "Resolution to appoint a Joint Special Committee relative to street cleaning." (*Appendix No. 169.*)

The resolution was twice read and agreed to.

The title was agreed to.

And the President appointed Messrs. Spear, Claghorn, McCormick, Ruhl, and Reinstine the Committee on the part of Common Council.

Mr. Iseminger (on leave)

Read in place a bill entitled "An Ordinance directing the Chief-Engineer of the Department for Supplying the City with Water to remove a fire-plug in the Second Ward."

Which was referred to the Committee on Water Works.

Mr. Hoffman

Presented a remonstrance of citizens and owners of property in the Third and Fourth Wards against the construction of a sewer on Second street and German street, in said wards.

Which was referred to the Committee on Surveys.

Mr. Conrade (on leave)

Offered the following, to wit: "Resolution of instruction to the Chief Commissioner of Highways to comply with an ordinance." (*Appendix No. 170.*)

The resolution was twice read and agreed to.

The preambles were agreed to.

The title was agreed to.

Mr. Clay

Presented a communication from the City Controller, with a statement of the general and additional appropriations to August 1, 1881, and estimated expenses from August 1, 1881, to December 31, 1882. (*Appendix No. 171.*)

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Board of Revision of Taxes, submitting a statement of real and personal property in the City of Philadelphia assessed and subject to tax for City purposes for 1882. (*Appendix No. 172.*)

Which was referred to the Committee on Finance.

Also,

Presented the estimates of the various departments for the expenses of the year 1882.

Which were referred to the Committee on Finance.

Mr. Foster

Presented a remonstrance of citizens and property owners of the Nineteenth Ward against the construction of a sewer on Germantown avenue, from Columbia avenue to Montgomery avenue, in said ward.

Which was referred to the Committee on Surveys.

Mr. Shegog (on leave)

Read in place a bill entitled "An Ordinance to repeal so much of the ordinance entitled 'An Ordinance to authorize the construction of sewers on Sixth, St. Mary, Pine, Sixty-third, Mutter, Waldron, Marston, Stiles, Warnock, and Seventeenth streets,' as relates to Mutter street."

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Nineteenth Ward, against the construction of a sewer on Fifth street, north of Cumberland street, in said ward.

Which was referred to the Committee on Surveys.

Mr. Showaker (on leave)

Read in place a bill entitled "An Ordinance to authorize the construction of sewers on the line of York avenue and Fairhill street, in the Nineteenth Ward."

Which was referred to the Committee on Surveys.

Mr. Weichselbaum (on leave)

Read in place a bill entitled "An Ordinance to construct a sewer on Davis street, in the Twentieth Ward."

Which was referred to the Committee on Surveys.

Mr. Merklee (on leave)

Read in place a bill entitled "An Ordinance to authorize the grading and paving of the market plots on Girard avenue, between Eighth and Tenth streets, and Twelfth and Broad streets."

Which was referred to the Committee on Highways.

Mr. Flanagan

Presented a petition of citizens and voters of the First Division of the Twenty-first Ward, to change the place of voting in the said division.

Which was referred to the Committee on Election Divisions.

Mr. Wallace

Presented a petition of citizens and property owners of the Twenty-first and Twenty-second Wards, for the improvement of Roxborough avenue, in said wards.

Which was referred to the Committee on Surveys.

Mr. Edwards (on leave)

Read in place a bill entitled "An Ordinance to authorize certain transfers from certain appropriations to Item 13 in the annual appropriation to the Department of Police for the year 1881."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance to lay water pipe on Master street, from Twenty-seventh to Twenty-ninth street, in the Twenty-ninth Ward."

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to change the place of voting in the Fourth and Nineteenth Divisions of the Twenty-second Ward."

Which was referred to the Committee on Election Divisions.

Also (on leave),

Read in place a bill entitled "An Ordinance to pave Master street, from Twenty-seventh to Thirty-first street, in the Twenty-ninth Ward."

Which was referred to the Committee on Highways.

Mr. Hall (on leave)

Offered the following, to wit: "Resolution of instruction to the Committee on Finance to inquire into the legality of taxing horses and carriages kept for pleasure purposes, also other property other than real estate, so as to relieve real estate."

Which was referred to the Committee on Finance.

Mr. Kauffman (on leave)

Read in place a bill entitled "An Ordinance to regulate the removal of dead animals."

Which was referred to the Committee on Police.

Mr. Holeman (on leave)

Read in place a bill entitled "An Ordinance to authorize the Highway Department to lay crossing stone at Wheat Sheaf lane and Richmond street."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to locate gas and gasoline lamps on Richmond street, in the Twenty-fifth Ward."

Which was referred to the Committee on Gas Works.

Mr. Steen (on leave)

Read in place a bill entitled "An Ordinance to locate gasoline lamps in the Twenty-sixth Ward."

Which was referred to the Committee on Gas Works.

Mr. Rowan (on leave)

Read in place a bill entitled "An Ordinance placing the work of street cleaning and collection of garbage under the jurisdiction of the Department of Highways."

Which was referred to the Committee on Highways.

Mr. Vanderslice

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for street lamps on York street, between Broad and Seventeenth streets, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Myers

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for the location of gasoline lamps in said ward.

Which was referred to the Committee on Gas Works.

Mr. Bardsley (on leave)

Read in place a bill entitled "An Ordinance to fix the tax rate for 1882."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance granting the Bell Telephone Company permission to place poles and wires in certain streets."

Which was referred to the Committee on Police and Fire-alarm Telegraph.

Also (on leave),

Read in place a bill entitled "An Ordinance to regulate the penalties for non-payment of taxes."

Which was referred to the Committee on Finance.

Mr. Beaver (on leave)

Read in place a bill entitled "An Ordinance to construct sewers on Moravian and Taney streets."

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twenty-ninth Ward, to lay water pipe on North College avenue, from Twenty-fifth to Twenty-sixth street, in said ward.

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to repeal so much of the ordinance entitled 'An Ordinance to authorize the construction of sewers on Master and Maple streets, and Columbia avenue,' as provides for sewer on Columbia avenue."

Which was referred to the Committee on Surveys.

Mr. Bonham

Presented a petition of citizens and property owners of the Twenty-ninth Ward, for a sewer on Eliza street, between Fifteenth and Sixteenth streets, in said ward.

Which was referred to the Committee on Surveys.

Mr. McCormick (on leave)

Read in place a bill entitled "An Ordinance for the location of gas and gasoline lamps in the Thirtieth Ward."

Which was referred to the Committee on Gas Works.

Mr. Miller (on leave)

Read in place a bill entitled "An Ordinance authorizing the extension of the sewer on Oxford street, east of Hope street, to Front street."

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance supplementary to an ordinance entitled 'An Ordinance to place upon the City plan a street upon the line of Cohocksink creek, from Laurel street to Delaware avenue.'"

Which was referred to the Committee on Surveys.

Mr. Clay,

Chairman of the Committee on Finance, presented a report, with bill annexed, entitled "An Ordinance to authorize certain transfers in the annual appropriation to the Department of Highways for the year 1881." (*Appendix No. 173.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to approve the surety of Henry B. Tener, Collector of Outstanding or Delinquent Taxes." (*Appendix No. 174.*)

Which was laid over to be printed.

Mr. Wallace,

Chairman of the Committee on Highways, presented a report, with bill annexed, entitled "An Ordinance to authorize the grading of Germantown avenue, from Clearfield street to Westmoreland street, in the Twenty-eighth Ward." (*Appendix No. 175.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with resolution annexed, entitled "Resolution discharging the Committee on Highways from the further consideration of the ordinance to authorize the grading and paving of Ann street, in the Twenty-fifth Ward." (*Appendix No. 176.*)

Which was laid over to be printed.

Mr. Peterson

Moved to proceed to third reading of amended bill from Select Council, No. 54, entitled "An Ordinance to provide for the erection of gates and maintenance of flagmen by railroad companies, across streets and roads in the City of Philadelphia, crossing their respective tracks at grade."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bonham, Carpenter, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Craig, Currie, Davis, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Flanagan, Foster, Gardy, Govett, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Myers, Neveling, Peterson, Reed, Reinstine, Rowan, Ruhl, Ryan, Schneider, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Weichselbaum, Young, and Lex, *Pres't*—71.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

So Common Council concurred with amendments.

Mr. Hall

Moved to proceed to third reading of amended bill No. 123, entitled "Supplement to the ordinance entitled 'An Ordinance to create and organize a Paid Fire Department for the City of Philadelphia,' approved December 29, 1870."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Bonham, Carpenter, Catanach, Claghorn, Clay, Collins, G. T. Conrade, Craig, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Flanagan, Gardy, Greger, Hall, Herse, Hollingsworth, Irvine, Iseminger, Lowenstein, Maloney, McCormick, Merklee, Miller, Millick, Morris, Myers, Neveling, Peterson, Rowan, Ruhl, Schneider, Shallcross, Shegog, Showaker, Simmons, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—56.

NAYS—Messrs. G. W. Conrad, Davis, Foster, Govett, Grim, Hetrick, Hoffman, Holeman, Jones, Kauffman, Leithead, Levi, McCully, Reed, Reinstine, Ryan, and Strickland—17.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Clay

Moved to proceed to second reading of bill No. 165, entitled "An Ordinance to approve the sureties and the contract of W. Bugbee Smith, to take down, transfer, and re-erect the West Philadelphia Stand Pipe on a lot near the Spring Garden Water Works, bounded by Thirty-third street and the Reading and Connecting Railroads, or to furnish and erect a new stand pipe upon said lot."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Bonham, Carpenter, Catanach, Claghorn, Clay, Collins, G. W. Conrad, Craig, Cross, Currie, Donaldson, H. C. Dunlap, W. Dunlap, Durham, Edwards, Flanagan, Foster, Gardy, Govett, Greger, Grim, Hall, Herse, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Jones, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Morris, Myers, Neveling, Peterson, Reed, Reinstine, Rowan, Ruhl, Ryan, Schneider, Shallcross, Shegog, Showaker, Simmons, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, Young, and Lex, *Pres't*—70.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 72, entitled "An Ordinance taking possession of the Philadelphia Gas Works for the use of the City, and providing for the care and management thereof."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The third section was again read, and agreed to.

The fourth section was again read, and agreed to.

The fifth section was again read.

Mr. Van Dusen

Moved to insert in the blank the words "fifty thousand dollars."

Which was agreed to.

The section as amended was agreed to.

The sixth section was again read, and agreed to.

The seventh section was again read, and agreed to.

The eighth section was again read, and agreed to.

The ninth section was again read, and agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Select Council informed Common Council that they had passed a resolution entitled "Resolution granting permission

to William Williams to erect a stand for the sale of flowers on property belonging to the City of Philadelphia, known as Thouron Square, situate at Sixth street and Germantown avenue."

The resolution was again read.

Mr. Peterson

Moved that the resolution be referred to the Committee on City Property of Common Council.

Which was agreed to.

Mr. H. C. Dunlap (on leave)

Offered the following, to wit: "Resolution of instruction to the Committee on Law, relative to charges against Tax Receiver Hunter."

The resolution was again read.

Also,

Moved that the resolution be referred to the Committee on Law, with instructions to report at the next stated meeting of Councils.

Which was agreed to.

Mr. Wallace

Moved to proceed to second reading of bill No. 151, entitled "An Ordinance to authorize the opening of Pollock street, from Moyamensing avenue to Rope Ferry road, in the Twenty-sixth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Bonham, Claghorn, Clay, Collins, G. W. Conrad, G. T. Conrade, Cross, Currie, Davis, Donaldson, H. C. Dunlap, Durham, Edwards, Flanagan, Gardy, Govett, Greger, Hall, Herse, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Miller, Millick, Morris, Myers, Neveling, Peterson, Reed, Reinstine, Rowan, Ruhl, Ryan, Schneider, Showaker, Simmons, U. C. Smith, Sorber, Spear, Steen, Strickland, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Young, and Lex, *Pres't*—61.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 51, entitled "An Ordinance to authorize the opening of Zimmerman street, from Twenty-sixth to Twenty-eighth street, in the Twenty-ninth Ward."

Which was agreed to.

The first and only section was again read.

Also,

Moved to amend by striking out the words "*Provided*, That the benefits which shall be assessed upon the owners of the property in the vicinity shall amount to a sum equal to the damages awarded to the owners of property taken for

public use by reason of said opening," and inserting in lieu thereof the words: "*Provided,* The owners of property in the vicinity of said street first file a satisfactory bond with the City Solicitor indemnifying the City against any loss on account of the opening of said street."

Which was agreed to,

The section as amended was agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Select Council informed Common Council that they had passed a resolution entitled "Resolution relative to the paving of Sixth street, between Clearfield and Venango streets."

The resolution was again read.

Mr. Bardsley

Moved that the resolution be referred to the Committee on Highways of Common Council.

Which was agreed to.

Select Council informed Common Council that they had concurred in the following, to wit:

"An Ordinance to authorize the opening of Tucker street, from Tacony to James street, in the Twenty-third Ward." (No. 139.)

"An Ordinance to authorize the construction of sewers on Market street, between Merrick street and Twenty-second street." (No. 141.)

"An Ordinance specifically appropriating Item 24 in the annual appropriation to the Department for Supplying the City with Water." (No. 159.)

"An Ordinance to repeal the proviso to ordinance entitled 'An Ordinance to provide for the cleaning of the streets and the removal of ashes and garbage therefrom, when the districts are not under contract.'" (No. 162.)

"Resolution requesting the Board of Health to reorganize the street-cleaning department." (No. 163.)

"Resolution of request to his Honor the Mayor, relative to garbage and rubbish." (No. 164.)

"An Ordinance to authorize the extension of the West Cohocksink sewer, in the Twenty-eighth Ward." (No. 80.)

"An Ordinance to grant permission to construct or build a bulk or oriel window at 805 North Broad street." (No. 92.)

"An Ordinance to revise the lines of Gorgas street, between Germantown avenue and Chew street, in the Twenty-second Ward." (No. 108.)

"An Ordinance to authorize the grading of Johnson and Kalos streets, and Manayunk avenue." (No. 138.)

"An Ordinance to change the location of public lamps." (No. 147.)

"An Ordinance to authorize the opening of Carpenter street, from Twenty-third street to Gray's Ferry road, in the Thirtieth Ward." (No. 152.)

"An Ordinance to approve the sureties and the contract of W. Bugbee Smith, to take down, transfer, and re-erect the West Philadelphia Stand Pipe on a lot near the Spring Garden Water Works, bounded by Thirty-third street and the Reading and Connecting Railroads, or to furnish and erect a new stand pipe upon said lot." (No. 165.)

"Resolution of instruction to the Chief Commissioner of Highways, to comply with an ordinance." (No. 170.)

Also,

"Resolution to appoint a Joint Special Committee, relative to street cleaning," and had appointed Messrs. Copeland, Blair, Roney, Shotwell, and Monroe the Committee on the part of Select Council.

Also,

In the amendments of Common Council to Select Council bill No. 54, entitled "An Ordinance to provide for the erection of gates and maintenance of flagmen by railroad companies, across streets and roads in the City of Philadelphia, crossing their respective tracks at grade."

Mr. Peterson

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Thursday, September 15, 1881.

Council met. Members present—

Messrs. Allen, G. W.,
Allen, P. A.,
Bardsley,
Beaver,
Bonsall,
Carlin,
Carpenter,
Catanach,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, W.,
Durham,
Edwards,
Faunce,
Flanagan,
Foster,
Gardy,
Govett,
Grace,
Greger,
Grim,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Iseminger,
Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Morris,
Myers,
Patton,
Peterson,
Reed,
Reinstine,
Rowan,
Ruhl,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Stringfellow,
Tasker,
Vanderslice,
Van Dusen,
Wallace,
Webster,
Weichselbaum,
Lex, *Pres't.*

The Clerk of his Honor the Mayor was introduced, when he presented a message submitting a list of ordinances approved by him. (*Appendix No. 177.*)

The President

Presented a communication from the Chief Commissioner of Highways, submitting a schedule of bids received for the construction of main sewers on Thirteenth street and Sedgley avenue. (*Appendix No. 178.*)

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Board of Health, with a resolution annexed, relative to the grading and paving of Master street, from Twenty-seventh to Thirty-second street.

Which was referred to the Committee on Highways.

Also,

Presented a communication from the Board of Health, with a resolution annexed, requesting Councils to pass an ordinance to grade and pave Montgomery avenue, above Eleventh street.

Which was referred to the Committee on Highways.

Also,

Presented a communication from the Board of Health, with the report of the Health Officer, relative to small-pox.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Board of Health, submitting a copy of the report of the Medical Inspector, relative to the nuisance existing on the site of the old bed of Cohocksink creek.

Which was referred to the Committee on Surveys.

Also,

Presented a communication from the Board of Health, with a resolution annexed, requesting Councils to make an appropriation of ten thousand dollars for the abatement of nuisances prejudicial to public health.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Board of Health, requesting Councils to make an appropriation of ten thousand dollars for the continuation of vaccination.

Which was referred to the Committee on Finance.

Mr. Levi (on leave)

Read in place a bill entitled "An Ordinance to locate a gas lamp on the southwest corner of Sixth and Bainbridge streets."

Which was referred to the Committee on Gas Works.

Mr. Cross (on leave)

Read in place a bill entitled "An Ordinance to construct a sewer on the line of Carver street, between Fifteenth and Sixteenth streets, in the Seventh Ward."

Which was referred to the Committee on Surveys.

Mr. Morris (on leave)

Read in a place a bill entitled "An Ordinance to locate a gas lamp at the southeast corner of Eleventh and Walnut streets."

Which was referred to the Committee on Gas Works.

Mr. Bonsall (on leave)

Read in place a bill entitled "An Ordinance to change the place of voting in the Nineteenth Division of the Fourteenth Ward."

Which was referred to the Committee on Election Divisions.

Mr. Peterson

Presented a petition of citizens and property owners of the Fourteenth Ward, for gasoline lamps on Hamilton street, between Thirteenth and Broad streets, in said ward.

Which was referred to the Committee on Gas Works.

Also,

Presented a petition of citizens and property owners of the Seventeenth Ward, for gas lamps in said ward.

Which was referred to the Committee on Gas Works.

Also (on leave),

Offered the following, to wit: "Resolution in reference to the Philadelphia and Reading Railroad Company." (*Appendix No. 179.*)

The resolution was twice read, and agreed to.

The title was agreed to.

And the President appointed Messrs. Peterson, Grace, Bonsall, Donaldson, and Foster the Committee on the part of Common Council.

Mr. Collins (on leave)

Read in place a bill entitled "An Ordinance to make an appropriation for the extension of gas mains."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance to change the place of voting in the Twenty-fifth Division of the Fifteenth Ward."

Which was referred to the Committee on Election Divisions.

Also (on leave),

Offered the following, to wit: "Resolution to locate a gas lamp on east side of Twentieth street, in the Fifteenth Ward."

Which was referred to the Committee on Gas Works.

Mr. Clay

Presented a petition of citizens and property owners of the Sixteenth Ward, to prevent the running of locomotives in said ward.

Which was referred to the Committee on Railroads.

Also,

Presented a petition of owners and occupants of property along the line of Second street and Germantown avenue, for the passage of an ordinance prohibiting the running of locomotives by the Philadelphia and Reading or North Pennsylvania Railroad.

Which was referred to the Committee on Railroads.

Also,

Presented the proposal of William Wharton, Jr., relative to use of Market street for laying railroad tracks.

Which was referred to the Committee on Finance.

Also,

Presented a communication of James B. Harvey, relative to a water supply.

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to approve the award of contract to Henry B. Leskie, for the erection of a fire station-house for Engine Company No. 14, and to approve the contract and securities of said Henry B. Leskie."

Which was referred to the Committee on Finance.

Mr. Faunce (on leave)

Offered the following, to wit: "Resolution authorizing the Committee investigating the Tax Office to employ a notary public and stenographer." (*Appendix No. 180.*)

The resolution was again read.

Mr. Henry

Moved that the resolution be referred to the Committee on Finance.

Mr. Morris

Moved that the further consideration of the resolution be postponed for the present.

Which was not agreed to.

The question recurring on the motion to refer to the Committee on Finance,

The yeas and nays were required by Mr. Van Dusen, seconded by Mr. Carpenter, and were as follows:

YEAS—Messrs. P. A. Allen, Bardsley, Beaver, Bonsall, Carlin, Carpenter, Catanach, Clay, Collins, G. T. Conrade, Craig, Cross, Currie, Donaldson, W. Dunlap, Edwards, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Kauffman, Leithead, Levi, Maloney, McCully, Merklee, Miller, Morris, Myers, Patton, Peterson, Reed, Reinstine, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—61.

NAYS—None.

Which was agreed to.

Mr. P. A. Allen (on leave)

Read in place a bill entitled "An Ordinance authorizing the Chief Commissioner of Highways to grade and pave Tulip street, in the Eighteenth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to place Riehl street, in the Eighteenth Ward, upon City plan."

Which was referred to the Committee on Surveys.

Mr. Foster

Presented a petition of citizens and property owners of the Nineteenth Ward, to place lamps on Mascher street, between Cumberland and Huntingdon streets, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Merklee (on leave)

Read in place a bill entitled "An Ordinance to lay water pipe on North street, in the Fifteenth Ward."

Which was referred to the Committee on Water Works.

Mr. Grace

Presented a petition of citizens and property owners of the Twentieth Ward, for gas lamps in said ward.

Which was referred to the Committee on Gas Works.

Also,

Presented a petition for a culvert on Warnock street, between Montgomery avenue and Berks street.

Which was referred to the Committee on Surveys.

Mr. Weichselbaum

Presented a petition of citizens and property owners of the Twentieth Ward, for sewer on Percy street, between Poplar street and Girard avenue, in said ward.

Which was referred to the Committee on Surveys.

Also,

Presented a petition of citizens and property owners of the Twentieth Ward, for a sewer on Darien street, between Poplar street and Girard avenue, in said ward.

Which was referred to the Committee on Surveys.

Mr. Wallace

Presented a petition of citizens and property owners of the Twenty-first Ward, to grade Sharpe street, in said ward.

Which was referred to the Committee on Highways.

Also,

Presented a petition of citizens and property owners of the Twenty-first Ward, to pave Levering street, in said ward.

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to authorize the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, in the Fifteenth Ward."

Which was referred to the Committee on Highways.

Mr. Edwards (on leave)

Read in place a bill entitled "An Ordinance to place Walker avenue, in the Twenty-second Ward, upon the plan of the City."

Which was referred to the Committee on Surveys.

Mr. Henry (on leave)

Read in place a bill entitled "An Ordinance to provide for the repaving of the streets of Philadelphia with Belgian blocks, when petitioned by property holders, the City paying one-half the cost."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to lay water pipe on Miller street, from Wistar street to Wyalusing avenue, Twenty-second Ward."

Which was referred to the Committee on Water Works.

Also,

Presented a communication from the police sergeants of the Fifteenth and Twenty-second Districts, relative to sub-station.

Which was referred to the Committee on Police.

Also (on leave),

Read in place a bill entitled "An Ordinance requiring the passenger railway companies to repave not less than one-quarter of their annual repairs with Belgian blocks."

Which was referred to the Committee on Highways.

Mr. Hall (on leave)

Read in place a bill entitled "An Ordinance to authorize the laying of water pipe on Forty-eighth street, between Seneca street and Westminster avenue, in the Twenty-fourth Ward."

Which was referred to the Committee on Water Works.

Also (on leave),

Offered the following, to wit: "Resolution to revise the lines and grades of Fortieth street, in the Twenty-fourth Ward."

Which was referred to the Committee on Surveys.

Mr. Kauffman (on leave)

Read in place a bill entitled "An Ordinance to locate gas and gasoline lamps in the Twenty-fifth Ward."

Which was referred to the Committee on Gas Works.

Mr. Simmons

Presented a petition of citizens and property owners of the Twenty-sixth Ward, for gas main on the Gray's Ferry road, in said ward.

Which was referred to the Committee on Gas Works.

Also (on leave),

Read in place a bill entitled "An Ordinance for the location of gasoline lamps in the Twenty-sixth Ward."

Which was referred to the Committee on Gas Works.

Mr. Rowan

Presented a petition of citizens and property owners of the Twenty-seventh Ward, for water pipe on Sixtieth street, from Market street to South street, in said ward.

Which was referred to the Committee on Water Works.

Also,

Presented a petition of citizens and property owners of the Twenty-seventh Ward, for the improvement of Woodland avenue, in said ward.

Which was referred to the Committee on Highways.

Also,

Presented a plan for the revision of the lines and grades of Market street, in the Twenty-fourth and Twenty-seventh Wards.

Which was referred to the Committee on Surveys.

Also (on leave),

Read in place a bill entitled "An Ordinance authorizing the revision of grades on Market street, in the Twenty-fourth and Twenty-seventh Wards."

Which was referred to the Committee on Surveys.

Mr. Sorber

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for the erection of gasoline lamps on Allegheny avenue, in said ward.

Which was referred to the Committee on Gas Works.

Also,

Presented a petition of citizens and property owners of the Twenty-eighth Ward, for gasoline lamps on Lainew avenue, in said ward.

Which was referred to the Committee on Gas Works.

Mr. Bardsley (on leave)

Read in place a bill entitled "An Ordinance for the opening of Twenty-second street, from Islington lane to Lamb Tavern road, in the Twenty-eighth Ward."

Which was referred to the Committee on Highways.

Mr. McCormick (on leave)

Read in place a bill entitled "An Ordinance to authorize the paving of Rosewood street, from Fitzwater street to Catharine street, in the Thirtieth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the opening of Carpenter street, from Twenty-third street to Gray's Ferry road, in the Thirtieth Ward,' approved September 8, 1881, by striking out the proviso thereof."

Which was referred to the Committee on Highways.

Mr. Clay,

Chairman of the Committee on Finance, presented a report, with a bill annexed, entitled "An Ordinance to levy and fix the rate of taxes for the year 1882." (*Appendix No. 181.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance authorizing certain transfers in the annual appropriation to the Department of Markets and City Property for the year 1881." (*Appendix No. 182.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize certain transfers from certain appropriations to Item 13, in the annual appropriation to the Department of Police for the year 1881." (*Appendix No. 183.*)

Which was laid over to be printed.

Mr. Wallace,

Chairman of the Committee on Highways, presented a report, with a bill annexed, entitled "An Ordinance to amend an ordinance entitled 'An Ordinance to authorize the paving

of Woodland avenue, from Forty-ninth street to Cobb's creek, in the Twenty-seventh Ward.'" (*Appendix No. 184.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize the opening of Indiana street, from Second to Third street, and from Ninth street to Germantown avenue, in the Twenty-fifth Ward." (*Appendix No. 185.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to authorize Hoopes & Townsend to lay a shaft under and across Buttonwood street, east of Broad street." (*Appendix No. 186.*)

Which was laid over to be printed.

Mr. Miller

From the Committee on Surveys, presented a report, with a bill annexed, entitled "An Ordinance to authorize the construction of sewers on Everett, Eighth, South, Tamarind, Tenth, Fairhill, Budd, Smedley, Venango, Dauphin, Twentieth, and Huntingdon streets, and Germantown, Park and Girard avenues." (*Appendix No. 187.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance supplementary to an ordinance entitled 'An Ordinance to place upon the City plan a street upon the line of Cohocksink creek, from Laurel street to Delaware avenue.'" (*Appendix No. 188.*)

Which was laid over to be printed.

Also,

From the same Committee, a further report, with a bill annexed, entitled "An Ordinance to repeal so much of the ordinance entitled 'An Ordinance to authorize the construction of sewers on Master, Maple, and Spruce streets, and Columbia avenue,' as provides for the construction of a sewer on Columbia avenue." (*Appendix No. 189.*)

Which was laid over to be printed.

Mr. Clay

Moved to proceed to third reading of amended bill entitled "An Ordinance taking possession of the Philadelphia Gas Works for the use of the City, and providing for the care and management thereof."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Carpenter, Catanach, Clay, Collins, G. W. Conrad, G. T. Conrade, Davis, Donaldson, W. Dunlap, Edwards, Flanagan, Gardy, Grace, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Kauffman, Leithead, Levi, Maloney, McCully, Millick, Morris, Myers, Patton, Peterson, Reinstine, Ruhl, Shallcross, Simmons, C. K. Smith, U. C. Smith, Sorber, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, and Lex, *Pres't*—52.

NAYS—Mr. Steen—1.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Wallace

Moved to proceed to third reading of amended bill entitled "An Ordinance to authorize the opening of Zimmerman street, from Twenty-sixth to Twenty-eighth street, in the Twenty-ninth Ward."

Which was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Beaver, Clay, Collins, G. W. Conrad, Craig, Cross, Davis, Donaldson, W. Dunlap, Edwards, Flanagan, Foster, Gardy, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Levi, Lowenstein, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Myers, Patton, Reed, Reinstine, Ruhl, Shallcross, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—56.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Clay

Moved to proceed to second reading of bill No. 173, entitled "An Ordinance to authorize certain transfers in the annual appropriation to the Department of Highways for the year 1881."

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Carlin, Clay, Collins, G. W. Conrad, Craig, Cross, Davis, Donaldson, Durham, Edwards, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Iseminger, Jefferis, Jones, Kauffman, Leithead, Lowenstein, Maloney, McCormick, McCully, Merklee, Millick, Morris, Myers, Patton, Reed, Reinstine, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—61.

NAYS—None.

Two-thirds of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of bill No. 174, entitled "An Ordinance to approve the surety of Henry B. Tener, Collector of Outstanding or Delinquent Taxes."

Which was agreed to.

The first and only section was again read.

Mr. Lowenstein

Moved that the bill be postponed for the present.

Which was not agreed to.

The question recurring on agreeing to the first and only section,

It was agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows :

YEAS—Messrs. G. W. Allen, Bardsley, Bonsall, Carlin, Catanach, Clay, Collins, G. W. Conrad, Cross, Donaldson, W. Dunlap, Durham, Edwards, Foster, Gardy, Grace, Greger, Grim, Hall, Henry, Hetrick, Hoffman, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Kauffman, Leithead, Maloney, McCormick, McCully, Millick, Morris, Myers, Patton, Peterson, Reinstine, Ruhl, Shallcross, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Stringfellow, Tasker, Vanderslice, Van Dusen, Wallace, and Lex, *Pres't*—51.

NAYS—Messrs. Currie, Govett, Lowenstein, Miller, Reed, Rowan, Shegog, and Webster—8.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Wallace

Moved to proceed to second reading of bill No 175, entitled "An Ordinance to authorize the grading of Germantown

avenue, from Clearfield street to Westmoreland street, in the Twenty-eighth Ward."

Which was agreed to.

The first and only section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Carlin, Catanach, Collins, G. W. Conrad, Cross, Donaldson, W. Dunlap, Durham, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Holeman, Hollingsworth, Irvine, Iseminger, Jefferis, Kauffman, Leithead, Levi, Lowenstein, Maloney, McCormick, McCully, Miller, Morris, Myers, Patton, Peterson, Reed, Reinstine, Rowan, Ruhl, Shallcross, Shegog, Showaker, Simmons, C. K. Smith, U. C. Smith, Sorber, Steen, Stringfellow, Vanderslice, Van Dusen, Wallace, Webster, Weichselbaum, and Lex, *Pres't*—56.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Also,

Moved to proceed to second reading of resolution No. 176, entitled "Resolution discharging the Committee on Highways from the further consideration of the ordinance to authorize the grading and paving of Ann street, in the Twenty-fifth Ward."

Which was agreed to.

The resolution was again read, and agreed to.

The title was agreed to.

Select Council informed Common Council that they had received a report from the Committee on Water Works, with bill No. 100 annexed, entitled "An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to receive the delinquent water-rents of the Y. M. C. A. of Germantown, at fifteen (15) per cent. of the regular rate," which they had passed.

Council proceeded to second reading of the bill.

The first section was again read.

Mr. Rowan

Moved that the bill be indefinitely postponed.

On agreeing to the motion,

The yeas and nays were required by Mr. Henry, seconded by Mr. Rowan, and were as follows:

YEAS—Messrs. Iseminger, Lowenstein, Merklee, Rowan, Showaker, Weichselbaum, and Lex, *Pres't*—7.

NAYS—Messrs. G. W. Allen, Bardsley, Beaver, Carlin, Catanach, Clay, Collins, Craig, Currie, Davis, Donaldson, W. Dunlap, Durham, Edwards, Faunce, Flanagan, Foster, Gardy, Govett, Grace, Greger, Grim, Hall, Henry, Hoffman, Holeman, Hollingsworth, Irvine, Jefferis, Kauffman, Leithead, Maloney, McCormick, McCully, Miller, Millick, Morris, Myers, Patton, Peterson, Reed, Ruhl, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Stringfellow, Tasker, Vanderslice, Van Dusen, and Wallace—54.

Which was not agreed to.

The question recurring on agreeing to the first and only section,

Mr. Bardsley

Moved to amend by adding the following: "*Provided*, That the sum of fifty dollars shall be first paid into the

Treasury of the City to pay for the publication of this ordinance."

Which was agreed to.

The question being on the section as amended,

Mr. Hoffman

Moved that the bill be referred to the Committee on Water of Common Council.

Which was not agreed to.

The question recurring on the section as amended,

Mr. Peterson

Moved that the bill be referred to the Committee on Law.

Which was not agreed to.

The question recurring on agreeing to the section as amended,

It was agreed to.

The title was agreed to.

And the bill was laid over to print the amendment.

Select Council informed Common Council that they had concurred in the following, to wit:

"An Ordinance to authorize the construction of a sewer across Fiftieth street, at Vine street, in the Twenty-fourth Ward." (No. 20.)

"An Ordinance to authorize the opening of Pollock street, from Moyamensing avenue to Rope Ferry road, in the Twenty-sixth Ward." (No. 151.)

"An Ordinance to authorize certain transfers in the annual appropriation to the Department of Highways for the year 1881." (No. 173.)

"Resolution in reference to the Philadelphia and Reading Railroad Company," and had appointed Messrs. Reyburn, Cuming, Shotwell, Green, and Snowden the Committee on the part of Select Council.

Mr. Peterson

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Tuesday, September 20, 1881.

A Special Meeting of Common Council was held this afternoon, pursuant to the following call:

MAYOR'S OFFICE.

Philadelphia, September 20, 1881.

By virtue of the authority conferred upon the Mayor by the Acts of the General Assembly of the Commonwealth of Pennsylvania, a Special Meeting of the Select and Common Councils of the City of Philadelphia is hereby called, to be held at 2 o'clock P. M., this day (Tuesday, September 20, 1881), in their respective Council Chambers, Chestnut street, between Fifth and Sixth streets, to take action upon the death of the President of the United States.

Very respectfully,

SAMUEL G. KING,

Mayor.

Members present—

Messrs. G. W. Allen,
P. A. Allen,
Bardsley,
Beaver,
Bonham,
Bonsall,
Carlin,
Carpenter,
Catanach,
Clay,
Collins,
Conrad, G. W.,
Conrade, G. T.,
Craig,
Cross,
Currie,
Davis,
Donaldson,
Dunlap, H. C.,
Durham,
Edwards,
Faunce,
Flanagan,
Foster,
Gardy,
Govett,
Grace,
Greger,
Griffiths,
Hall,
Henry,
Herse,
Hetrick,
Hoffman,
Holeman,
Hollingsworth,
Irvine,
Messrs. Iseminger,
Jefferis,
Jones,
Kauffman,
Leithead,
Levi,
Lowenstein,
Maloney,
McCormick,
McCully,
Merklee,
Miller,
Millick,
Morris,
Myers,
Patton,
Peterson,
Reinstine,
Ruhl,
Ryan,
Schneider,
Shallcross,
Shegog,
Showaker,
Simmons,
Smith, C. K.,
Smith, U. C.,
Sorber,
Spear,
Steen,
Stringfellow,
Tasker,
Vanderslice,
Wallace,
Webster,
Weichselbaum,
Young,

Lex, *Pres't.*

Mr. Miller

Moved that Council take a recess until advised of the action of Select Council.

Which was agreed to.

The President

Called Council to order, whereupon

Select Council informed Common Council that they had assembled in pursuance of the call of his Honor the Mayor, convening the Select and Common Councils of the City of Philadelphia in special session, for the purpose of taking appropriate action upon the death of his Excellency James A. Garfield, President of the United States of America; that they had adopted—in which action they respectfully ask the concurrence of Common Council—a series of resolutions, entitled "Resolutions relative to the death of James A. Garfield, President of the United States of America," and that the President of Select Council had appointed Messrs. Gates, McCullough, Bickel, Reyburn, Schellinger, Albright, and Hammett the Committee on the part of Select Council, to act with a similar Committee on the part of Common Council, to carry said resolutions into effect.

The first resolution was twice read, and agreed to.

The second resolution was twice read, and agreed to.

The third resolution was twice read, and agreed to.

The fourth resolution was twice read, and agreed to.

The fifth resolution was twice read, and agreed to.

The preambles were agreed to.

The title was agreed to.

So Common Council concurred.

The President

Appointed Messrs. Morris, Bardsley, Grace, Collins, Carpenter, Wallace, and McCully the Committee on the part of Common Council.

Mr. Grace

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

Tuesday, September 27, 1881.

A Special Meeting of Common Council was held this afternoon, pursuant to the following call:

Philadelphia, September 20, 1881.

JOHN ECKSTEIN, Esq.,
Clerk of Common Council.

DEAR SIR:—Please call a Special Meeting of Common Council for Tuesday, September 27, 1881, at 3 o'clock P. M., to consider bill fixing the tax rate for 1882.

WM. HENRY LEX,
President of Common Council.

Members present—

Messrs. Allen, G. W.,	Messrs. Jefferis,
Allen, P. A.,	Jones,
Bardsley,	Kauffman,
Beaver,	Leithead,
Bement,	Levi,
Bonham,	Maloney,
Carlin,	McCormick,
Carpenter,	McCully,
Catanach,	Merklee,
Clay,	Miller,
Collins,	Millick,
Conrad, G. W.,	Morris,
Craig,	Myers,
Cross,	Patton,
Currie,	Peterson,
Davis,	Reed,
Donaldson,	Reinstine,
Dunlap, W.,	Ruhl,
Durham,	Ryan,
Flanagan,	Shegog,
Foster,	Simmons,
Gardy,	Smith, C. K.,
Govett,	Smith, U. C.,
Grace,	Sorber,
Greger,	Spear,
Hall,	Steen,
Henry,	Tasker,
Hetrick,	Vanderslice,
Hoffman,	Van Dusen,
Holeman,	Wallace,
Hollingsworth,	Weichselbaum,
Irvine,	Young,
Iseminger,	Lex, *Pres't.*

The President

Presented a communication from the Pennsylvania Railroad Company, relative to an adjustment of the grades of

Market street, from the bridge over the river Schuylkill, westwardly about twelve hundred feet. (*Appendix No. 190.*)

Which was referred to the Joint Committees on Finance and Surveys.

Also,

Presented a communication from the Board of Health, with a resolution annexed, requesting Councils to appropriate twenty-five thousand (25,000) dollars, to remove the ashes, clean the inlets, and remove the snow from the crossings and approaches to the inlets during the months of November and December, 1881, as their funds for said purposes will be exhausted on November 1, 1881.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Board of Inspectors of the Philadelphia County Prison, asking for transfers in their annual appropriation.

Which was referred to the Committee on Finance.

Also,

Presented a communication from the Chief Commissioner of Highways, with a summary of proposals annexed, for the construction of sewer at Oregon and Fiftieth streets. (*Appendix No. 191.*)

Which was referred to the Committee on Finance.

Mr. Spear (on leave)

Read in place a bill entitled "An Ordinance to lay water pipe on Mifflin street, from Broad street to Nebinger street, in the First Ward."

Which was referred to the Committee on Water Works.

Also (on leave),

Offered the following, to wit: "Resolution of instruction to the Chief Commissioner of Highways, relative to the paving of Thirteenth and Jackson streets, at the public school."

Which was referred to the Committee on Highways.

Mr. Irvine (on leave)

Presented a petition of citizens and property owners of the Fifteenth Ward, to grade and pave Norwood street and Twenty-first street, from Brown to Parrish street, in said ward, paving to be with Belgian blocks.

Which was referred to the Committee on Highways.

Mr. Clay (on leave)

Read in place a bill entitled "An Ordinance to authorize certain transfers in the annual appropriation to the Receiver of Taxes for the year 1881."

Which was referred to the Committee on Finance.

Mr. Greger (on leave)

Read in place a bill entitled "An Ordinance to have the gas lamp removed from the southeast corner Park avenue and Oxford street to the southwest corner."

Which was referred to the Committee on Gas Works.

Mr. Henry (on leave)

Presented a petition of citizens and property owners of the Twenty-second Ward, to pave Lafayette street, in said ward.

Which was referred to the Committee on Highways.

Mr. Hall (on leave)

Presented a petition of citizens and property owners of the Twenty-fourth Ward, for the construction of a sewer on Fortieth street, between Myrtle and Vanilla streets, in said ward.

Which was referred to the Committee on Surveys.

Mr. Kauffman (on leave)

Presented a remonstrance of citizens and property owners of the Twenty-fifth Ward, against the construction of a sewer on Fairhill street, in said ward.

Which was referred to the Committee on Surveys.

Mr. Steen (on leave)

Read in place a bill entitled "An Ordinance to grade Juniper street, from Tasker to Morris street, in the Twenty-sixth Ward."

Which was referred to the Committee on Highways.

Also (on leave),

Read in place a bill entitled "An Ordinance to lay water pipe on Juniper street, from Tasker to Morris street, in the Twenty-sixth Ward."

Which was referred to the Committee on Water Works.

Mr. Bardsley (on leave)

Read in place a bill entitled "An Ordinance to make an appropriation (out of the surplus revenue for 1880) to the Department of Highways, for the paving of Third street, between Market and Vine streets, with Belgian blocks."

Which was referred to the Committee on Finance.

Also (on leave),

Read in place a bill entitled "An Ordinance instructing the Mayor of Philadelphia, and the Commissioner of Markets and City Property, to offer at public sale certain property belonging to the City of Philadelphia."

Which was referred to the Committee on City Property.

Mr. Bonham (on leave)

Presented a petition of citizens and property owners of the Twenty-ninth Ward, for the location of a gas lamp on the east side of Bouvier street, near the southwest corner of Wagner's Institute lot, in said ward.

Which was referred to the Committee on Gas Works.

Mr. McCormick (on leave)

Presented a petition of citizens and property owners of the Thirtieth Ward, asking to be relieved from paying for the water pipe laid on the north side of Washington avenue, from Clement street to Nineteenth street, in said ward.

Which was referred to the Committee on Water Works.

Also (on leave),

Read in place a bill entitled "An Ordinance to locate gas lamps in the Thirtieth Ward."

Which was referred to the Committee on Gas Works.

Mr. Clay

Moved to proceed to second reading of bill No. 181, entitled "An Ordinance to levy and fix the rate of taxes for the year 1882."

Which was agreed to.

The first section was again read.

Mr. Hoffman

Moved to amend by striking out the words "one dollar and ninety cents," and inserting the words "one dollar and ninety-five cents."

On agreeing to the motion,

The yeas and nays were required by Mr. Hoffman, seconded by Mr. Irvine, and were as follows:

YEAS—Messrs. P. A. Allen, Currie, Donaldson, Henry, Hoffman, Holeman, Hollingsworth, Miller, Morris, Patton, Ruhl, and Vanderslice—12.

NAYS—Messrs. G. W. Allen, Bardsley, Beaver, Bement, Bonham, Carlin, Carpenter, Catanach, Clay, Collins, G. W. Conrad, Craig, Cross, Davis, W. Dunlap, Durham, Flanagan, Foster, Gardy, Govett, Grace, Greger, Hall, Hetrick, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Millick, Reed, Reinstine, Ryan, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Tasker, Van Dusen, Wallace, Weichselbaum, Young, and Lex, *Pres't*—52.

Which was not agreed to.

The question recurring on agreeing to the first section,

It was agreed to.

The second section was again read, and agreed to.

The third section was again read, and agreed to.

The title was agreed to.

The bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Beaver, Bement, Bonham, Carlin, Carpenter, Catanach, Clay, Collins,

G. W. Conrad, Craig, Cross, Currie, Davis, Donaldson, W. Dunlap, Durham, Flanagan, Foster, Gardy, Govett, Grace, Greger, Hall, Henry, Hetrick, Hoffman, Holeman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Patton, Reed, Reinstine, Ruhl, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Tasker, Vanderslice, Van Dusen, Wallace, Weichselbaum, Young, and Lex, *Pres't*—62.

NAYS—Mr. Hollingsworth—1.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Clay (on leave),

Chairman of the Committee on Finance, presented a report, with bill annexed, entitled "An Ordinance to authorize transfers from certain items in the annual appropriation to the Department of City Commissioners for the year 1881, to Item 20 in the annual appropriation to the Board of Public Education for said year." (*Appendix No. 192.*)

Which was laid over to be printed.

Also (on leave),

From the same Committee, a further report, with bill annexed, entitled "An Ordinance to approve the award of contract to Henry B. Leskie, for the erection of a fire station-house for Engine Company No. 14, and to approve the contract and surety of said Henry B. Leskie. (*Appendix No. 193.*)

Also (by unanimous consent), the bill being printed,

Moved to proceed to second reading of the bill.

Which was agreed to.

The first section was again read, and agreed to.

The second section was again read, and agreed to.

The title was agreed to.

And by unanimous consent, the bill was read a third time.

And on its final passage,

The yeas and nays were required, according to law, and were as follows:

YEAS—Messrs. G. W. Allen, P. A. Allen, Bardsley, Bement, Carlin, Carpenter, Clay, Collins, G. W. Conrad, Cross, Currie, Davis, W. Dunlap, Durham, Flanagan, Foster, Gardy, Govett, Grace, Greger, Hall, Henry, Hetrick, Hoffman, Irvine, Iseminger, Jefferis, Jones, Kauffman, Leithead, Levi, Maloney, McCormick, McCully, Merklee, Miller, Millick, Morris, Patton, Reed, Reinstine, Ruhl, Shegog, Simmons, C. K. Smith, U. C. Smith, Sorber, Spear, Steen, Tasker, Van Dusen, Wallace, Weichselbaum, Young, and Lex, *Pres't*—55.

NAYS—None.

A majority of those elected having voted in the affirmative,

It was agreed to.

And the bill passed.

Mr. Merklee (on leave),

Chairman of the Committee on Election Divisions, presented a report, with bill annexed, entitled "An Ordinance to change and establish places of voting in the several election divisions of the City of Philadelphia." (*Appendix No. 194.*)

Which was laid over to be printed.

Mr. Young

Moved that Council do now adjourn.

Which was agreed to.

And Council adjourned.

APPENDIX.

APPENDIX.

APPENDIX No. 1.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, April 4, 1881.

To the Presidents and Members of the
Select and Common Councils of the City of Philadelphia.

GENTLEMEN:—I have awarded the contract for the extension of the Mill Creek sewer to James Deehan, he being the lowest bidder, as the annexed communication from the Chief-Engineer will show. But the amount required under the contract to complete the work taking all that has been appropriated therefor, I would call the attention of your honorable bodies to the necessity of making provision for the appointment of an Inspector, as the work is a most important one, and should be thoroughly scrutinized during its progress. I would, therefore, respectfully suggest that you make an appropriation out of Item 24, for the construction of main sewers in the appropriation to this Department for the year 1881, to pay for such Inspector.

Very respectfully,

WILLIAM BALDWIN,
Chief Commissioner of Highways.

DEPARTMENT OF SURVEYS.

Philadelphia, April 1, 1881.

WM. BALDWIN, ESQ.,
Chief Commissioner of Highways.

DEAR SIR:—The measure of Mill Creek sewer, to be built from its present terminus to Woodland avenue, is 616.5 feet, which, at $42.50 per foot, is $26,201.25.

The assessment bills amount to	-	$1,246 90
Appropriation, - - -	-	25,000 00
		$26,246 90

Therefore $42.50 per foot is the lowest price that will build the sewer for the appropriation and assessment bills.

This does not allow any money out of the appropriation to pay for inspection; provision should, therefore, be made for $500 for five months' pay to Inspector.

In making award please make at the price bid per lineal foot, and not for a gross sum.

Yours, truly,

SAMUEL L. SMEDLEY,
Chief-Engineer and Surveyor.

APPENDIX No. 2.

RESOLUTION

To continue the Special Committee on Conference with the City Solicitor and District Attorney.

Resolved by the Common Council of the City of Philadelphia, That the Special Committee appointed to confer with the City Solicitor and District Attorney on the resolutions made by the Joint Special Committee on Investigation of the Gas Trust be, and the same is, hereby continued.

APPENDIX No. 3.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, April 7, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—In accordance with an ordinance passed by your honorable bodies authorizing the construction of a sewer on Thirteenth street, from Wharton to Morris street, the same was advertised for, and the lowest bid ($3,000), as per the annexed estimate of the Chief-Engineer, being in excess of the amount of the appropriation to this department for such purpose, it will be necessary, in order to prosecute the above work, which is an important one, that an appropriation be made of the amount indicated.

Very respectfully,

WILLIAM BALDWIN,
Chief Comm'r of Highways.

—

OFFICE OF THE CHIEF-ENGINEER AND SURVEYOR.

Philadelphia, April 6, 1881.

WM. BALDWIN, ESQ.,
Chief Commissioner of Highways.

DEAR SIR:—Estimating the cost of sewer on Thirteenth street, from Wharton to Morris street, by the proposal of Wm. B. M. Conklin, at the prices of $4.19 per foot for 4-feet sewer, $3.44 per foot for 3½-feet sewer, including all appurtenances, the amount of appropriation required will be three thousand (3,000) dollars in excess of assessment bills.

Yours, respectfully,

SAMUEL L. SMEDLEY,
Chief-Eng. and Surveyor.

APPENDIX No. 4.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, April 7, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—I would respectfully call your attention to my two communications, the first of April 7, 1880 (Appendix No. 2, Select Council), and the second of January 20, 1881 (Appendix No. 155, Common Council), and ask your early consideration of the same.

They both have reference to matters of importance, and I trust may not be overlooked, but that such action may be taken as to correct the grave defects in the ordinances now governing or attempting to govern the matters spoken of.

Very respectfully,

WILLIAM BALDWIN,
Chief Comm'r of Highways.

APPENDIX No. 5.

Condition of the appropriation to the Department of Surveys, March 31, 1881.

For	Appropriat'n	Expended.	Balance.
Items.			
1. Salaries, general office and registry Bureau	$15,390 00	$3,847 50	$11,542 50
2. Stationery, record books, draughting materials, and instruments	1,000 00	283 33	716 67
3. Cleansing offices, carriage hire, and incidentals	1,200 00	308 49	891 51
4. Salaries thirteen District Surveyors	6,500 00	1,625 00	4,875 00
5. Preparing liens for municipal claims	400 00		400 00
6. Land-marks (corner-stones)	200 00		200 00
7. Plans and examinations of sewers and bridges	3,000 00	560 00	2,440 00
8. Surveys of properties for Registry Bureau	500 00		500 00
9. Four draughtsmen for Registry Bureau	3,600 00	900 00	2,700 00
10. New surveys ordered during the year 1881	1,500 00		1,500 00
11. Plans of streets placed upon City Plans	200 00	64 00	136 00
12. Lines and grades in First Survey District between Curtin street and Government avenue	1,060 00		1,000 00
13. Revision of lines and grades, with topography, on Plan 272	400 00		400 00
14. Lines and grades, with topography, in Eighth Survey District	2,000 00		2,000 00
15. Completing revision of lines and grades in the Twenty-third Ward	1,502 00		1,502 00
16. Revision of lines and grades, with topography, on Plan 154	528 00		528 00
17. Revision of lines and grades, with topography, on Plan 156	1,000 00		1,000 00
18. Revision of lines and grades, with topography, on Plan 157	700 00		700 00
19. Revision of lines and grades, with topography, on Plan 278	1,000 00		1,000 00
20. Revision of lines and grades, with topography, on Plan 282	1,000 00		1,000 00
21. Duplicate plans, with topography of Plans 130 and 107	750 00		750 00
22. Levels for fixing grades upon Plan 161	100 00		100 00
23. Carriage hire and horse keep for Chief-Engineer and Surveyor	360 00		360 00
24. Preparation of plans for the port of Philadelphia	2,000 00		2,000 00
25. Making plans of Warden's line, Delaware and Schuylkill	500 00		500 00
Totals	$46,330 00	$7,588 32	$38,741 68

Attest— GEORGE STURGES,
Recording Clerk.

APPENDIX No. 6.

RESOLUTION

To appoint a Joint Special Committee, relative to accommodations in the New Public Buildings for Councils.

Resolved by the Select and Common Councils of the City of Philadelphia, That a Joint Special Committee of five from each chamber be appointed to confer with the Commissioners for the Erection of Public Buildings, and ascertain what arrangements can be made for accommodations for Clerks and Select and Common Councils at an early day.

APPENDIX No. 7.

RESOLUTION

Of instruction to the City Solicitor, relative to the Fire Commissioners.

WHEREAS, It has been asserted in the public prints that a number of the members of the Board of Fire Commissioners have been elected to their positions in direct violation of the laws creating the department, by reason of holding two positions;

AND WHEREAS, It is neither right nor just to these Commissioners, or the Councils who have elected them, that these assertions should go unchallenged; therefore be it

Resolved by the Select and Common Councils of the City of Philadelphia, That the City Solicitor be, and he is, hereby directed to examine the laws bearing upon the subject, and report to these Councils whether these assertions are well founded or otherwise.

APPENDIX No. 8.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Board of Harbor Commissioners for the City of Philadelphia, in performance of their duty "to devise, consider, and present plans for the preservation and permanent improvement of the harbor of the port of Philadelphia," and for the increase of its "landing accommodations," respectfully submit the accompanying report, made April 2, 1881, by the Advisory Commission of United States Officers, together with their plan of wharf lines for the Schuylkill.

The officers of such Advisory Commission have been detailed by the Federal Government, at the request of the Harbor Commissioners, in conformity with the second section of Ordinance of July 8th, A. D. 1879, creating such Board.

At a meeting of the Harbor Commission, held on the 13th inst., such report, and also the wharf lines designated by the Advisory Commission, were considered and approved, and it was resolved that they be transmitted to Councils, with a recommendation that such wharf lines be adopted and fixed by their action.

Very respectfully,
ALEX. HENRY,
Chairman Harbor Commissioners.

—

UNITED STATES ENGINEERS' OFFICE.

Philadelphia, April 2, 1881.

To the Chairman of the Board of Harbor Commissioners
of the Port of Philadelphia.

SIR:—The Commission Advisory to your honorable Board, recognizing the importance to the interests of this port of a proper regulation of the bank and wharf structures of the

Schuylkill river, and additionally urged thereto by the valuable improvements awaiting the determination of shore lines for their development, have recently had under careful consideration the conditions and requirements of the tidal section of that stream.

The changes in the composition of the Commission since their organization have been the substitution of Captain Breese, of the Navy, for Captain Chandler, ordered to the command of his ship, and the assignment of Colonel Ludlow, United States Engineer, as Secretary.

During recent sessions the Commission were deprived of the co-operation of one of their members, Professor Mitchell, of the Coast Survey, whose duties as a member of the Mississippi River Commission have detained him in St. Louis beyond the time for which it seemed desirable to postpone the consideration of the important matters awaiting decision.

Fortunately, the problems presented for solution offered no special difficulties, unless legal points should interfere, and, in the course of the discussion, an entire unanimity of opinion on the part of the remaining members was attained. The recommendations made are, therefore, those of the Commission.

They are based upon the following considerations involving the physical aspects of the Schuylkill:

First. While the flow from above the dam at Fairmount augments in a varying proportion the total volume, usefully diminishing the velocity of the flood current and increasing that of the ebb, the tidal characteristics of the section between the dam and the Delaware must be regarded as predominant, and the regulation of the stream should conform thereto.

Second. Since any given portion of the river occupies the relation of tidal reservoir to all portions below it, the limiting lines at high water should be so adjusted as to preserve as much as possible the tidal capacity; that is to say, the area to be filled and emptied by each tide, while furnishing boundaries that shall ensure an easy and uniform flow, and gradually widen downward to allow for greater volume passing successively lower sections.

Third. Although the straightening of the stream at certain points is both desirable and practicable to a certain extent, and would considerably increase the ease of navigation, nevertheless caution is required in the application of this means of improvement. Any considerable straightening causes a corresponding decrease in tidal capacity, and a careful consideration of the topography shows that any reduced or extensive alteration of the present bed would injuriously affect valuable interests, whose losses would probably overbalance the contemplated benefits. Furthermore, questions of individual rights and of damages to owners would be raised, and effect an indefinite postponement of a much-needed adjustment.

Fourth. For the better accommodation of shipping a limiting wharf line may be drawn where the topography admits of it, preserving an ample width of fairway. In order not to decrease the tidal area, any structures erected beyond the dyke or bulkhead line should be as open as possible, and built upon piles to one foot above the plane of high water.

There are transmitted herewith two tracings from the United States Engineers' Chart of the Schuylkill, drawn on a scale of 200 feet to the inch, and illustrating graphically the opinion of the Commission as to how the regulation of the river should be effected. Lines have been drawn on both banks for lines of solid filling, and for wharf lines; the former in dark blue, the latter in red.

The bulkhead lines of solid filling are continuous on both banks. Those for wharf structures are interrupted to correspond to the requirements of each locality, and merge at times into the bulkhead lines. It is to be understood that both these are "limiting" lines only. That is to say, when solid structures shall be built they should stop at the blue lines; wharf structures built beyond the blue lines should be open ones, terminating in or short of the red lines. The chart extending only to Callowhill street bridge, the Commission have been unable to continue these lines to the dam, but an examination of their position just below the bridge will indicate the belief of the Commission that no extension of the present structures into the stream should be made in the upper part of the river.

It will be observed that the blue lines at some points intersect structures already built. This is intended to express the judgment of the Commission that such structures unduly restrict the navigation and are injurious to the stream, and that, consequently, the portions extending beyond the blue line should be removed. In other places the wharf lines are held back within the line of low water. The reasons therefor are evident from an inspection of the tracings.

Without discussion of the legal rights of riparian owners in relation to the construction of wharves in tidal waters, the Commission believe that the true interests of all the owners are identical in their dependence for the value of their respective properties upon the maintenance and improvement of the general navigation, and that consequently what is for the benefit of all will command the assent of all.

There are other points in relation to the Schuylkill, to which your honorable body might profitably direct attention, but which do not fall within the scope of the present discussion. Among these are the evils to be anticipated in the future resulting from the use of the lower Schuylkill as a receiving basin for sewage and waste products, the unhealthfulness of certain localities bordering on the river from the existence of bodies of stagnant water emitting malarial and other poisons, and the desirability, in the near future, of establishing a system of harbor regulations which shall control the mooring and berthing of vessels, so as at certain points to keep open a sufficient fairway for the traffic of the stream.

All of which is respectfully submitted.

J. N. MACOMB,
Colonel of Engineers U. S. Army,
Chairman Advisory Commission.

Attest—WILLIAM LUDLOW,
Captain of Engineers,
Brv't Lt.-Col. U. S. Army,
Secretary Advisory Commission.

APPENDIX No. 9.

OFFICE OF THE PHILADELPHIA BOARD OF TRADE.

Philadelphia, April 20, 1881.

To the Honorable the Select and Common Councils
of the City of Philadelphia.

The Philadelphia Board of Trade respectfuliy submit the following nominations for the office of Port Warden, and ask your favorable consideration of the same.

Nominations.

Francis R. Cope,	P. A. Decan,
William R. Tucker,	E. Turley,
William Howell, Jr.,	Henry May,
Joseph S. Keen, Jr.,	Thomas B. Wattson,
Edward K. Stevenson,	Theo. Frothingham,
Joseph S. Elwell,	William D. Winsor,
William Taggert,	F. M. Brooke,
George Russell,	John H. Michener,
Philip Fitzpatrick,	W. W. Steel.

Attest:

GEO. L. BUZBY,
Secretary.

APPENDIX No. 10.

LAW DEPARTMENT.

Philadelphia, April 21, 1881.

To the President and Members
of Common Council.

GENTLEMEN:—I have read the testimony taken by the "Joint Special Committee of Councils to Investigate the Management of the Trustees of the Philadelphia Gas Works," and have carefully considered the report made by the Committee, embodying the facts as found by them.

While a dispassionate reading of the testimony might not convince one that all the conclusions of the Committee are fully warranted by the printed evidence, yet it must be remembered that much light is to be gathered from the manner of witnesses, and their conduct while under examination. The Committee had this aid; he who simply reads, does so without such light.

To some extent I am induced, by this thought, to accept the report as a conclusive statement of the facts, and there then arises to me, as the Solicitor of the City, a duty plainly indicated, that must be performed.

I shall therefore take such proceedings as are necessary to secure a full and proper account of the management and conduct of the Philadelphia Gas Works.

The position of the City towards the Trustees in this regard, fortunately, has been fully defined by the Supreme Court of this Commonwealth.

In the case of the Western Saving Fund Society *vs.* The City of Philadelphia, 7 Casey, p. 175, it was declared to be the law that "as owner of the works, subject to the paramount rights of the loanholders, the City may inspect the books, accounts, and papers relating to them, and demand an accurate account of the proceedings of the Trustees. If she has reason to believe that they are mismanaging the trust to such an extent that her own power of removal, as regulated by the contract, would be an inadequate remedy, she may, like other *cestuis que trust*, apply to the Courts of justice for redress. If she thinks that by a more economical management than that heretofore practised, the price of gas might be reduced without violating the provisions of the contract with the loanholders, she may file a bill for an account, and ask for the directions of the Court on the question."

The Trustees are in the same position as others who occupy fiduciary relations; the law demands that they shall manage the business and property confided to them with the care and prudence with which men conduct their own affairs. If they have done this they are blameless; if, however, the proceeding now to be instituted (in which the proof of the facts will be aided by the irresistible power of the Court to reach testimony and witnesses) shall show otherwise, then the City will receive such remedy as the case demands.

I need hardly inform you that the suit will be necessarily an expensive one, involving the employment and aid of experts from the beginning to the end, and that the meagre appropriation to the Law Department for experts and miscellaneous expenditures would be inadequate for the purposes of such a case.

If I am to go into this battle give me the "sinews of war."

I suggest that an appropriation be made to the Law Department of the sum of five thousand (5,000) dollars, to be devoted to necessary expenditures in the suit of the City against the Trustees, warrants to be drawn against the same by me, upon the approval of such committee as Councils may indicate.

The ordinance making the appropriation should authorize me to call to my aid such additional counsel as I deem to be necessary. I am led to this suggestion partly by the fact that it is the custom to secure the services of an eminent senior member of the bar in so large a case as this, involving as it does a property of many millions in value, and I wish to be prudent; and further, by the belief that the case in its preparation and presentation will involve protracted and absorbing labor, which could only be done by us under the greatest difficulties, handicapped, as we would be, by the constant attention claimed by routine and other duties. You will realize our position when I state that there are three hundred and fifty suits now pending against the City, making incessant calls upon us; and this in addition to a large number of road cases, and much other business.

I am, with great respect,

Your obedient servant,

WM. NELSON WEST,

City Solicitor.

APPENDIX No. 11.

Philadelphia, April 21, 1881.

To the Common Council of the City of Philadelphia.

GENTLEMEN:—Your memorialists would respectfully represent that they believe that great injury has resulted to the interests of the City and to its poor from the appointment of persons to be Guardians of the Poor who do not possess the proper qualifications for that office. We submit that the dictates of humanity and the important financial interests involved in the care of the City's poor require that certain important qualifications should be kept in view in making these appointments.

The Guardians should be men of sufficient leisure to give ample and studious attention to the details of the administration of their department, and able and willing to respond promptly to the duties assumed by them.

They should be persons of high character, and free from interested motives; of known benevolence and experience in charitable work; men of large intelligence and capacity to study practically the problems relating to the best treatment of the poor, their employment, their physical and moral welfare, and their elevation from pauperism.

We earnestly urge that such considerations shall primarily govern the action of Councils in the appointment of the Guardians of the Poor.

Our several societies, from their close relations to the poor, are deeply interested in this matter, which is their motive for thus petitioning your Honorable body.

APPENDIX No. 12.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered a communication from the Board of Health for an appropriation of ten thousand dol-

lars for vaccination, and also a communication for transfer from Item 38, of $800, to Item 40, $400, and to Item 41 of $400, and having referred the same to a Sub-Committee, whose report is hereto appended, submit the annexed ordinance, prepared by them in consultation with the Board of Health, and recommend its passage.

HENRY CLAY, *Ch'n*, THOS. GREEN,
J. D. HALL, F. HALTERMAN,
CHAS. F. ISEMINGER, JOHN MCCULLOUGH,
DAVID WALLACE, W. S. REYBURN,
JAS. R. GATES, JOHN SHEGOG,
GEORGE R. SNOWDEN, WM. B. IRVINE,
S. S. HOLLINGSWORTH.

—

Philadelphia, April 21, 1881.

To the Committee on Finance.

GENTLEMEN:—The Sub-Committee on Finance, to whom was referred the communication from the Board of Health for an appropriation of ten thousand (10,000) dollars to pay vaccine physicians, respectfully report that they had a conference with the Board of Health, and having ascertained that the sum of $6,325, in Item 19, in the annual appropriation to the City Commissioners for this year will not be used, have prepared the annexed ordinance to authorize the same to be transferred to certain items in the annual appropriation to the Board of Health, which is required in consequence of the existence of small-pox. The Committee would recommend that the transfer ordered to be reported be modified accordingly.

WM. B. IRVINE, *Ch'n*, THOS. GREEN,
ADAM A. CATANACH, JAS. R. GATES.

—

AN ORDINANCE

To authorize a transfer from Item 19, in the annual appropriation to the Department of City Commissioners for the year 1881, to certain items in the annual appropriation to the Board of Health for same year.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be

authorized and directed to transfer the sum of six thousand three hundred and twenty (6,320) dollars from Item 19, "to pay Inspectors of the Eastern Penitentiary," in the annual appropriation to the Department of City Commissioners for the year 1881, to the following items in the annual appropriation to the Board of Health for same year, viz.: To Item 11, "for pay of vaccine physicians for vaccinating hereafter," three thousand nine hundred (3,900) dollars; to Item 39, "for clothing, bedding," etc., Municipal Hospital, two hundred and eighty-five (285) dollars; to Item 40, "for fuel, lights," etc., five hundred (500) dollars; to Item 41, "for drugs, coffins," etc., seven hundred (700) dollars; to Item 44, "for purchase of horses and feed, and maintenance of same, vehicles," etc., five hundred and forty (540) dollars; to Item 45, "for insurance, general improvement," etc., four hundred (400) dollars.

APPENDIX No. 13.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered a communication from the Chief Commissioner of Highways relative to the awarding of the contract for the extension of the Mill Creek sewer to James Deehan, he being the lowest bidder, and requesting an appropriation out of Item 24, of the appropriation to the Highway Department for the year 1881, to pay for inspector, and submit the annexed ordinance for the approval of the contract and sureties, and to make an appropriation for inspector, and recommend its passage.

HENRY CLAY, *Ch'n*,	DAVID WALLACE,
S. S. HOLLINGSWORTH,	W. S. REYBURN,
THOS. GREEN,	JAS. R. GATES,
J. DALLAS HALL,	GEORGE R. SNOWDEN,
F. HALTERMAN,	JOHN SHEGOG,
CHAS. F. ISEMINGER,	WM. B. IRVINE,
JOHN MCCULLOUGH,	JOHN BARDSLEY.

AN ORDINANCE

To approve the contract and surety of James Deehan for the construction of the extension of the Mill Creek sewer.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the contract of James Deehan for the construction of the extension of the Mill Creek main sewer be, and the same is, hereby approved, and that Hugh Deehan be, and is, hereby approved as the surety of the said James Deehan, for the faithful performance of the said contract: *Provided,* That said contract shall contain a clause that the said sewer shall be completed, in all respects, according to the plans, specifications, and estimates of the Chief Engineer and Surveyor, for the sum or price as follows: twenty feet in diameter, at forty-two (42) dollars and fifty (50) cents per lineal foot, twenty-six thousand two hundred and one dollars (26,201) dollars and twenty-five (25) cents; and the City Solicitor is hereby directed to file an agreement of record, restricting the lien of the judgment against Hugh Deehan to premises numbered 1911, 1919, and 1921 Hamilton street, 223 North Fifteenth street, and 809 North Sixteenth street, and restricting the lien as against James Deehan to premises numbered 805 North Sixteenth street.

SECT. 2. That the sum of four hundred (400) dollars be, and the same is, hereby appropriated out of Item 24, "For constructing main sewers," in the annual appropriation to the Department of Highways for the year 1881, for the payment of an inspector of the work; said inspector to be a practical mechanic, and to be there during all working hours.

APPENDIX No. 14.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance authorizing the

extinguishment of a certain yearly ground-rent of fifty-six dollars, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
F. HALTERMAN,
JAS. R. GATES,
JOHN BARDSLEY,
WALTER E. REX,
DAVID WALLACE,
GEORGE R. SNOWDEN,
ADAM A. CATANACH,
CHAS. F. ISEMINGER,
WM. B. IRVINE,
JOHN MCCULLOUGH,
THOS. GREEN,
JOHN SHEGOG,
JAMES L. MILES.

AN ORDINANCE

Authorizing the extinguishment of a certain yearly ground rent of fifty-six dollars.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That upon payment being made to the Commissioner of Markets and City Property of the sum of nine hundred and thirty-three (933) dollars and thirty-three (33) cents, being the principal of a certain yearly ground-rent of fifty-six (56) dollars, lawful silver money of the United States of America, each dollar weighing seventeen pennyweights and six grains at least, hereinafter described, together with all arrearages to the time of such payment; the Mayor of the City of Philadelphia be, and he is, hereby authorized and directed to sign, execute, seal with the corporate seal of the City of Philadelphia, and deliver to Frank H. Getchell, M. D., his heirs and assigns, a good and sufficient deed or deeds assigning, releasing, and extinguishing all that certain yearly ground-rent or sum of fifty-six (56) dollars, lawful silver money of the United States of America, each dollar weighing seventeen pennyweights and six grains at least, chargeable half-yearly, issuing and payable by Albert Stuart, his heirs and assigns, on the first day of the months of April and October in every year, without deduction for taxes, etc., out of and for all that certain lot or piece of ground, situate on the south side of Lombard street, at the distance of ninety-four feet eastward from the east side of Eleventh street, in the City of Philadelphia; containing in front or breadth on the said Lombard street sixteen feet, and extending in length or depth southward seventy feet to a certain

twenty-feet wide street, extending from Tenth street to said Eleventh street; bounded eastward by ground granted to John A. Rollen on ground-rent; southward by the said twenty-feet wide street; westward by ground granted to Peter Glasgow and Joseph Fareira on ground-rent, and northward by Lombard street aforesaid.

APPENDIX No. 15.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered "An Ordinance making an appropriation to the Commissioners of Fairmount Park of a sum of money, now in the City Treasury, as a special fund for Park purposes," and report the same back and recommend its passage.

HENRY CLAY, *Ch'n*,
F. HALTERMAN,
CHAS. F. ISEMINGER,
JAMES R. GATES,
WM. B. IRVINE,
ADAM A. CATANACH,
JOHN BARDSLEY,
JOHN MCCULLOUGH,
WALTER E. REX,
THOS. GREEN,
DAVID WALLACE,
JOHN SHEGOG,
GEORGE R. SNOWDEN,
JAMES L. MILES.

AN ORDINANCE

Making an appropriation to the Commissioners of Fairmount Park of a sum of money, now in the City Treasury, as a special fund for Park purposes.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of twelve thousand four hundred and sixty-four (12,464) dollars and sixty-three (63) cents, which was paid into the City Treasury by the Park Commissioners during the year 1880, and which, by the requirements of the twenty-third section of the supplemental Act relating to Fairmount Park, approved April

14, 1868, is a fund to be exclusively appropriated by Councils for Park purposes, under the direction of said Commissioners, shall be, and the same is, hereby appropriated to the Commissioners of Fairmount Park, to be drawn by them in the usual manner.

APPENDIX No. 16.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered the petition of the Home for Aged Men and Women, on Harrowgate lane, Twenty-fifth Ward, for exemption from the payment of taxes. In the case of the Baptist Home for Old Women, Seventeenth and Norris streets, to be released from the payment of damages for opening Seventeenth street (Appendix Common Council, vol. i., 1876, page 527), and in the case of the Old Man's Home, Twenty-fourth Ward, for exemption from payment for water pipe (Appendix Common Council, vol i., 1879, page 628), the Councils rejected the applications because it would be a violation of the seventh section of the ninth article of the new Constitution. The Committee therefore report the petition back with a negative recommendation, and request the passage of the annexed resolution.

HENRY CLAY, *Ch'n*,	F. HALTERMAN,
JOHN BARDSLEY,	JOHN SHEGOG,
JOHN MCCULLOUGH,	CHAS. F. ISEMINGER,
WALTER E. REX,	JAS. R. GATES,
THOS. GREEN,	WM. B. IRVINE,
DAVID WALLACE,	ADAM A. CATANACH.

RESOLUTION

To discharge the Committee on Finance from the consideration of the petition of the Home for Aged Men and Women on Harrowgate lane.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Finance be discharged from the further consideration of the petition of the Home for Aged Men and Women, on Harrowgate lane, Twenty-fifth Ward, for exemption from payment of taxes.

APPENDIX No. 17.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to make an appropriation to pay George H. Miller for paving at the intersection of Germantown avenue and Tenth street, and for paving in front of the burial ground at Gaul and Vienna streets, and constructing a sewer on Germantown avenue, and report the same back with a negative recommendation, and request the passage of the annexed resolution.

HENRY CLAY, *Ch'n*,	JOHN BARDSLEY,
F. HALTERMAN,	JOHN MCCULLOUGH,
CHAS. F. ISEMINGER,	WALTER E. REX,
JAS. R. GATES,	THOMAS GREEN,
WM. B. IRVINE,	DAVID WALLACE,
ADAM A. CATANACH,	JOHN SHEGOG.

RESOLUTION

To discharge the Committee on Finance from the consideration of an ordinance to pay for paving intersection of Germantown avenue and Fourth street, and also in front of the burial ground at Gaul and Vienna streets, and for constructing a sewer on Germantown avenue.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Finance be discharged from the further consideration of an ordinance to make an appropriation to pay George H. Miller for paving at the intersection of Germantown avenue and Fourth street, and for paving in front of the burial ground at Gaul and Vienna streets, and constructing a sewer on Germantown avenue.

APPENDIX No. 18.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize the surrender of the official bond of Wm. Nelson West, City Solicitor, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
CHAS. F. ISEMINGER,
WM. B. IRVINE,
JOHN BARDSLEY,
WALTER E. REX,
DAVID WALLACE,
F. HALTERMAN,
JAS. R. GATES,
ADAM A. CATANACH,
JOHN MCCULLOUGH,
THOS. GREEN,
JOHN SHEGOG,
JAMES L. MILES.

AN ORDINANCE

To authorize the surrender of the official bond of Wm. Nelson West, City Solicitor.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Mayor be, and he is, hereby authorized and requested to surrender to Wm. Nelson West his official bond given for his term as City Solicitor, ending March 31, 1881: *Provided,* That the City Controller shall first certify that the accounts for the said official term are settled and there is no default.

APPENDIX No. 18½.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered "An Ordinance to make an appropriation to carry into effect the ordinance regulating

the salary of the City Solicitor, approved March 28, 1881," and having referred the same to a sub-committee, whose report is hereto appended, report the ordinance back as modified by them, and recommend its passage.

HENRY CLAY, *Ch'n*, THOMAS GREEN,
J. DALLAS HALL, F. HALTERMAN,
CHAS. F. ISEMINGER, JOHN MCCULLOUGH,
DAVID WALLACE, W. S. REYBURN,
JAMES R. GATES, GEORGE R. SNOWDEN,
JOHN SHEGOG, WM. B. IRVINE,
JOHN BARDSLEY, S. S. HOLLINGSWORTH.

—

To the Committee on Finance.

GENTLEMEN :—The Sub-Committee, to whom was referred an ordinance to carry into effect the ordinance entitled "An Ordinance regulating the salary of the City Solicitor," approved March 28, 1881, respectfully report that they had a conference with the City Solicitor, and recommend that the bill be so altered as to provide for an appropriation of eight thousand four hundred and fifty-five (8,455) dollars for City Solicitor's salary, to be taken from fees earned, and one thousand four hundred and eighty-three (1,483) dollars and thirty-three (33) cents, to be appropriated for salaries of two assistants.

JAMES L. MILES, *Ch'n*, WALTER E. REX,
S. S. HOLLINGSWORTH.

—

AN ORDINANCE

To make an appropriation to carry into effect the ordinance entitled "An Ordinance regulating the salary of the City Solicitor," approved March 28, 1881.

WHEREAS, The Select and Common Councils of the City of Philadelphia, by an ordinance entitled "An Ordinance regulating the salary of the City Solicitor," approved March 28, 1881, did ordain that the salary of the City Solicitor shall be fifteen thousand (15,000) dollars per annum instead

of the sum as at present fixed by ordinance: *Provided*, That he shall, before entering upon the duties of his office, file with the City Controller an agreement to pay all fees, attorney's fees, and commissions, received from every source as City Solicitor, into the City Treasury.

That the City Solicitor shall have an assistant, in addition to the present number, whose duty it shall be to draw the bonds and contracts, at a salary of one thousand (1,000) dollars per annum.

And that the City Solicitor shall have an assistant, in addition to the present number, whose duty it shall be to issue certificates of search, at a salary of one thousand (1,000) dollars per annum.

And whereas, in compliance with the provisions of the said ordinance, William Nelson West (the City Solicitor, and City Solicitor elect) afterwards filed with the City Controller his agreement in writing, dated April 2d, A. D. 1881, to pay all fees, attorney fees and commissions, received from every source, as City Solicitor, into the City Treasury, and appointed John Scott, Jr., Esq., and Robert T. Corson, Esq., as the two assistants required by the said ordinance, which appointments were duly confirmed by Select Council.

And whereas, by the annual appropriation to the Law Department, approved 16th December, 1880, Item 1, the sum of thirty-six hundred (3,600) dollars was appropriated for the salary of City Solicitor, to the credit of which amount there was a balance of twenty-six hundred and seventy (2,670) dollars remaining on April 4, 1881.

Now, therefore, in order to carry into effect the provisions of the aforesaid ordinance—

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the further sum of nine thousand nine hundred and thirty-eight (9,938) dollars and thirty-three (33) cents (of which amount eight thousand four hundred and fifty-five (8,455) dollars is to be taken from the fees, attorney fees, and commissions paid to the City Treasurer by the City Solicitor), be, and the same is, hereby appropriated to the Law Department for the year 1881, as follows:

Item 16. For salary of the City Solicitor, eight thousand four hundred and fifty-five (8,455) dollars, to be paid out of the fees, attorney fees, and commissions paid into the City Treasury by the City Solicitor: *Provided*, That warrants for the payment of the salary of the City Solicitor shall be drawn as follows: For payment of the salary due the City Solicitor for the month of April, 1881, there shall be drawn one warrant against Item 1, of the annual appropriation made by ordinance, approved December 16, 1880, for the amount of three hundred (300) dollars, and one other warrant against the present Item 16, for the amount of eight hundred and fifty-five (855) dollars; and, thereafter, for each and every month warrants shall be drawn against said Item 1, for the sum of three hundred (300) dollars per month, and additional warrants against said Item 16, for the additional sum of nine hundred and fifty (950) dollars per month. Should, however, the sum paid into the City Treasury from fees, attorneys' fees, and collections returned by the City Solicitor, be insufficient to pay the full amount of such portion of the salary aforesaid, as is to be paid out of Item 16, in any month as above specified, then said Solicitor shall receive only such part thereof as shall be equal to the aggregate of the fees, attorney fees, and collections returned by him: *Provided*, That if the fees in any subsequent month, or months, shall exceed the amount of such portion of the salary aforesaid, to be paid for said month out of Item 16, as above specified, the deficit of such salary for any month, or months, shall be made up from such excess, and warrants shall be drawn in accordance herewith.

Item 17. For salaries of two assistant solicitors, fourteen hundred and eighty-three (1,483) dollars and thirty-three (33) cents; warrants to be drawn for the month of April against this Item in the sum of seventy-five (75) dollars for each assistant, and thereafter for the sum of eighty-three (83) dollars and thirty-three (33) cents for each assistant per month.

APPENDIX No. 19.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to authorize the extension of Hart Creek Sewer, in the Twenty-fifth Ward, beg leave to report, that in view of the great importance of the immediate construction of this extension, we respectfully ask your early and favorable adoption of the ordinance herewith returned.

WALTER E. REX, *Ch'n*,
DAVID MULLEN,
GEORGE W. CONRAD,
DANIEL W. GILBERT,
WILLIAM McMULLEN,
CHARLES E. WEBSTER,
EDW. W. PATTON,
STEPHEN HERSE,
DANIEL SCHELLINGER,
S. A. MILLER,
JAS. EVANS,
THOMAS SHALLCROSS,
A. ATWOOD GRACE.

AN ORDINANCE

To authorize the extension of Hart Creek Sewer, in the Twenty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief Commissioner of Highways is hereby authorized and directed to enter into contract with competent mechanics for the extension of Hart Creek Sewer, on Indiana avenue and Leamy street, from the present terminus on Indiana avenue, in the Twenty-fifth Ward.

SECT. 2. That it shall be the duty of the Chief-Engineer and Surveyor to prepare plans and specifications for said sewer, and that the contract entered into for the construction thereof shall be in accordance with such plans and specifications.

SECT. 3. That before entering into the said contract, the Chief Commissioner of Highways shall cause advertisements to be made for sealed proposals for the construction of the

sewer at a specific sum per lineal foot; that the total cost of said sewer shall not exceed the estimates of the Chief-Engineer and Surveyor for the work to be done, and that the contract therefor shall be awarded by him to the lowest and best bidder, who shall agree to keep said sewer and street in repair for three years after its completion; and no contract therefor shall be binding on the City of Philadelphia, until the same shall have been authorized by these Councils.

SECT. 4. That no proposal for the construction of the said sewer shall be considered by the said Chief Commissioner of Highways, unless accompanied by an engagement in writing from two or more sufficient sureties, guaranteeing the faithful execution of the contract in case such proposal be accepted.

SECT. 5. That as the work of said sewer shall progress, there shall be assessed, and charged upon the properties in front of which the same shall be completed, the sum of one (1) dollar and fifty (50) cents for each lineal foot of the front of the said properties.

SECT. 6. That it shall be a condition of such contract that the contractor shall accept the sums so assessed and charged under the foregoing section of this ordinance in part payment of his contract price, and that he shall collect the same at his own cost; and the better to enable him so to do, he may use the name of the City of Philadelphia, and employ all legal remedies or proceedings, whether of lien or otherwise, to which the said City may be competent.

SECT. 7. That payments may be made while the work of constructing the sewer is in progress by the Chief Commissioner of Highways, in warrants upon the City Treasurer, charged to Item 24 of the appropriation to the Department of Highways for the year 1881, said payments in all cases to be made upon certificate of the Chief-Engineer and Surveyor, estimating the amount of work done: *Provided*, That for all current estimates no payments shall exceed four-fifths of the money meritoriously earned under said contract, after deducting the ratable proportion of the assessments referred to in section 5th of this ordinance.

SECT. 8. Satisfactory evidence shall be furnished by the contractor to the Chief Commissioner of Highways that full payment has been made for all labor done and materials furnished, previously to drawing a warrant for the final estimate of any work done by virtue of this ordinance, and the Chief Commissioner of Highways shall require full and entire payment by the contractors of all labor and materials on account of such work, and the said Commissioner shall give one month's notice, in two daily newspapers, of the time at which final payment will be made on final estimate: *Provided, however,* That the total sum to be paid, as provided in section 7th of this ordinance, shall not exceed the amount of twenty thousand (20,000) dollars.

APPENDIX No. 20.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying resolution, directing the construction of a sewer across Fiftieth street, at Oregon street, in the Twenty-fourth Ward, beg leave to report that this sewer has been approved by the Board of Surveys, who recommend its construction of twenty feet diameter, which will cost about seven thousand dollars; the payment of same will have to be provided for by the Committee on Finance, and to that Committee we respectfully ask to have the matter referred.

WALTER E. REX, *Ch'n,*
EDW. W. PATTON,
DAVID MULLEN,
STEPHEN HERSE,
GEORGE W. CONRAD,
DANIEL SCHELLINGER,
DAN'L W. GILBERT,
S. A. MILLER,
WM. MCMULLEN,
JAMES EVANS,
CHAS. E. WEBSTER,
THOS. SHALLCROSS,
A. ATWOOD GRACE.

AN ORDINANCE

To authorize the construction of a sewer across Fiftieth street, at Vine street, in the Twenty fourth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways is hereby authorized and directed to enter into contract with competent mechanics, for the construction of a sewer across Fiftieth street, on the line of Vine street, in the Twenty-fourth Ward.

SECT. 2. That it shall be the duty of the Chief-Engineer and Surveyor to prepare plans and specifications for said sewer, and that the contract entered into for the construction thereof shall be in accordance with such plans and specifications.

SECT. 3. That before entering into the said contract, the Chief Commissioner of Highways shall cause advertisement to be made for sealed proposals for the construction of the sewer at a specific sum per lineal foot; the total cost of said sewer shall not exceed the estimates of the Chief-Engineer and Surveyor for the work to be done; and that the contract therefor shall be awarded by him to the lowest and best bidder, who shall agree to keep the said sewer in repair for three years after its completion.

SECT. 4. That no proposal for the construction of the said sewer shall be considered by the Chief Commissioner of Highways unless accompanied by an engagement in writing from two or more sufficient sureties guaranteeing the faithful execution of the contract, in case such proposal be accepted.

SECT. 5. That payments may be made while the work of constructing the sewer is in progress, by the Chief Commissioner of Highways, in warrants upon the City Treasurer, charged to Item of the appropriation to the Department of Highways, for the year 1881: *Provided,* That the total amount of said payments shall not exceed seven thousand (7,000) dollars; said payments in all cases to be made upon a certificate of the Chief-Engineer and Surveyor, estimating

the amount of work done. That for all current estimates no payment shall exceed four-fifths of the money meritoriously earned under said contract.

SECT. 6. Satisfactory evidence shall be furnished by the contractor to the Chief Commissioner of Highways that full payment has been made for all labor done and materials furnished previously to drawing a warrant for the final estimate of any work done by virtue of this ordinance; and the Chief Commissioner of Highways shall require full and entire payment by the contractors of all labor and materials on account of such work; and the said Commissioner shall give one month's notice in two daily papers of the time at which final payment will be made on final estimate.

APPENDIX No. 21.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinances and petitions for sewers, beg leave to submit an ordinance for their construction, as they have, in each case, received due consideration and approval by the Board of Surveyors and your Committee. Public health, comfort, and convenience require them.

Their aggregate length will be 8,256 feet, costing to the property owners upon the lines thereof $19,438, and to the City, not exceeding $500. Your approval of the ordinance herewith submitted is therefore respectfully recommended.

WALTER E. REX, *Ch'n*,	DAN'L W. GILBERT,
EDW. W. PATTON,	S. A. MILLER,
DAVID MULLEN,	WILLIAM MCMULLEN,
STEPHEN HERSE,	JAS. EVANS,
GEORGE W. CONRAD,	CHARLES E. WEBSTER,
DANIEL SCHELLINGER,	THOMAS SHALLCROSS,

A. ATWOOD GRACE.

AN ORDINANCE

To authorize the construction of sewers on Brown, Twenty second, Collins, Twenty-fifth, Perot, Carlton, Cherry, Sixth, Barclay, Powell, Owen, Morris, Somerset, Mill, Indiana, Baker, and Vine streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Highways be, and is, hereby authorized to construct the following sewers, viz: On Brown street, from Corinthian avenue to Twenty-second street; thence on Twenty-second street, from Brown to Parrish street. On Collins street, from middle of Cumberland street, northeastwardly 306 feet. On Twenty-fifth street, from Fairmount avenue to Perot street; thence on Perot street, from Twenty-fifth to Twenty-fourth street. On Carlton street, from Seventeenth to Eighteenth street. On Cherry street, from Juniper to Thirteenth street. On Sixth street, from Lombard to Barclay street; thence on Barclay street to the west line of Seventh street; also on Powell street, from Sixth street, eastward, about 200 feet, to summit. On Owen street, from Sixth to Seventh street. On Morris street, from the sewer, in Thirteenth street, to the east curb line of Eleventh street. On Somerset street, from Haverford street to Silverton avenue. On Mill street, from Cumberland street, 675 feet southwestward. On Indiana street, from the sewer, in Sixth street, to Reese street. On Baker street, from Mulberry street to Green lane; and on Vine street, from Sixtieth to Sixty-first-and-a-half street. Each with a clear inside diameter of three feet.

Said sewers to be built of brick, circular in shape, and in accordance with specifications prepared by the Chief-Engineer and Surveyor.

SECT. 2. The Chief Commissioner of Highways shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest bidders, and it shall be a condition of the contracts that the contractor shall keep the said sewers and that portion of the street along which the said sewers shall be laid, in good order and repair for three years from and after the date of the completion of the said sewers, and shall

accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment, in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Commissioner of Highways to draw warrants for street intersections, man-holes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Highways for the year 1881: *Provided*, Said excess does not exceed the sum of five hundred (500) dollars.

APPENDIX No. 22.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying repealing ordinance and petition relative to the sewer on Shackamaxon street, beg leave to report, that upon examination, induced by the petition numerously signed by property owners upon the lines of said street, have arrived at the conclusion, that there are strong grounds for granting the prayer of the petitioners, and therefore respectfully ask the adoption of the ordinance herewith returned.

WALTER E. REX, *Ch'n*,	DAN'L W. GILBERT,
EDW. W. PATTON,	S. A. MILLER,
DAVID MULLEN,	WILLIAM MCMULLEN,
STEPHEN HERSE,	JAMES EVANS,
GEORGE W. CONRAD,	CHARLES E. WEBSTER,
DANIEL SCHELLINGER,	THOMAS SHALLCROSS,

A. ATWOOD GRACE.

AN ORDINANCE

To repeal so much of the ordinance entitled "An Ordinance to authorize the construction of sewers on Fitzwater, Shackamaxon, and Lambert streets," approved the seventh day of February, 1881, as relates to Shackamaxon street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That so much of the ordinance entitled "An Ordinance to authorize the construction of sewers on Fitzwater, Shackamaxon, and Lambert streets," approved the seventh day of February, 1881, as relates to Shackamaxon street from Girard avenue to the Delaware river be, and the same is, hereby repealed.

APPENDIX No. 23.

Philadelphia, April 21, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying applications for sewers on Inquirer street, from Brown to Parrish street, and on Eighth street, from South to Fitzwater street, beg leave to report, that, as to the Inquirer street sewer, the Committee on Surveys and Regulations of 1880 examined and reported adversely to its construction, we now endorse that action. In the case of the Eighth street sewer, your Committee deem it inexpedient for the building of the same at this time, and respectfully ask the adoption of the resolution herewith.

WALTER E. REX, *Ch'n*, EDW. W. PATTON,
DAVID MULLEN, STEPHEN HERSE,
GEORGE W. CONRAD, DANIEL SCHELLINGER,
DAN'L W. GILBERT, S. A. MILLER,
WILLIAM MCMULLEN, JAS. EVANS,
CHARLES E. WEBSTER, THOMAS SHALLCROSS,
A. ATWOOD GRACE.

RESOLUTION

To discharge the Committee on Surveys and Regulations from the further consideration of applications for sewers on Inquirer and Eighth streets.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Surveys and Regulations be discharged from the further consideration of applications for sewers on Inquirer street, from Brown to Parrish street, and on Eighth street, from South to Fitzwater street.

APPENDIX No. 24.

Philadelphia, April 21, 1881.

To the Common Council of the City of Philadelphia.

GENTLEMEN:—The Committee on Law of Common Council, to whom was referred the resolution for the appointment of a Committee to "investigate the matters of protest relative to the eligibility of Michael O'Rourke to act as a member of Common Council from the Twenty-fifth Ward," submit the following report:

The protest against Mr. O'Rourke's right to sit as a member of Councils is based on an allegation that he had not resided, at the time of his election, in the Twenty-fifth Ward, from which he is returned, the time requisite to entitle him, when elected, to sit as a Councilman from that ward. The question of residence is always a question of qualification.

The Committee had the benefit of arguments in behalf of Mr. O'Rourke, and also on behalf of those in whose interest the protest was filed, as to the right of Councils to try the question of the qualifications of its own members. It is well settled that Councils had jurisdiction over this subject before the new Constitution went into effect.

It was urged before the Committee that section 17th of Article VIII. of the new Constitution, and the Act of 19th May, 1874 (P. L. 208), passed to carry out the provision of this section, had taken away this jurisdiction.

Both the Constitution and this Act of Assembly refer only to the "trial and determination of *contested elections*," and provide that they shall be by the Courts of law.

There is a broad and well-defined difference between contesting the election and judging of the qualifications of a member of Councils.

This difference is recognized both by the Legislature and the Courts. See Act May 23, 1874 (P. L. 245), Purd. Dig., 1913. *In re* Election in the Nineteenth Ward, 1 Weekly Notes, 114; Com'th *vs.* Messer, 8 Wr., 341–3; Com'th *vs.* Leech, Ibid., 332; Duffield's Case; Brightley's Election Cases, 646.

The Committee think that the law in regard to the right of Councils is not changed by the new Constitution in any law passed since it went into effect.

The mode of trying the question provided for in the resolution, is the same adopted on previous occasions by the Chamber, and has been approved by the Courts.

The result of the Committee's investigation is, that it reports back the resolution referred to it, and recommends its passage.

S. S. Hollingsworth, *Ch'n*, John Ruhl,
S. A. Miller, J. M. Vanderslice,
E. B. Morris, A. J. Maloney,
W. H. H. Davis.

RESOLUTION

To appoint a Special Committee to inquire as to the eligibility of Michael O'Rourke as member of Common Council for the Twenty-fifth Ward.

Resolved, That a Special Committee of seven members of Common Council be appointed by the President, who shall investigate the matters of protest of citizens of the Twenty-fifth Ward, relative to the eligibility of Michael O'Rourke to act as a member of Common Council for the Twenty-fifth Ward, and to report to this Council the result of such inquiry.

APPENDIX No. 25.

Condition of the appropriation to the Department of Surveys, April 30, 1881.

For	Appropriat'n	Expended.	Balance.
Items.			
1. Salaries General Office and Registry Bureau	$15,390 00	$5,130 00	$10,260 00
2. Stationery, record books, draughting materials and instruments	1,000 00	283 33	716 67
3. Cleansing offices, carriage hire, and incidentals	1,200 00	348 19	851 51
4. Salaries thirteen District Surveyors	6,500 00	1,625 00	4,875 00
5. Preparing liens for municipal claims	400 00		400 00
6. Land-marks (corner-stones)	200 00		200 00
7. Plans and examinations of sewers and bridges	3,000 00	788 00	2,212 00
8. Surveys of properties for Registry Bureau	500 00		500 00
9. Four draughtsmen for Registry Bureau	3,600 00	1,200 00	2,400 00
10. New surveys ordered during the year 1881	1,500 00		1,500 00
11. Plans of streets placed upon City Plans	200 00	64 00	136 00
12. Lines and grades in First Survey District, between Curtin street and Government avenue	1,000 00		1,000 00
13. Revision of lines and grades, with topography, on Plan 272	400 00		400 00
14. Lines and grades, with topography, in Eighth Survey District	2,000 00		2,000 00
15. Completing revision of lines and grades in the Twenty-third Ward	1,502 00		1,502 00
16. Revision of lines and grades, with topography, on Plan 154	528 00		528 00
17. Revision of lines and grades, with topography, on Plan 156	1,000 00		1,000 00
18 Revision of lines and grades, with topography, on Plan 157	700 00		700 00
19. Revision of lines and grades, with topography, on Plan 278	1,000 00		1,000 00
20. Revision of lines and grades, with topography, on Plan 282	1,000 00		1,000 00
21. Duplicate plans, with topography of Plans 130 and 107	750 00		750 00
22. Levels for fixing grades upon Plan 161	100 00		100 00
23. Carriage hire and horse keep for Chief-Engineer and Surveyor	360 00	90 00	270 00
24. Preparation of plans for the port of Philadelphia	2,000 00	236 51	1,763 49
25. Making plans of Warden's line, Delaware and Schuylkill	500 00		500 00
Totals	$46,330 00	$9,765 33	$36,564 67

Attest :

GEO. STURGES,
Recording Clerk.

APPENDIX No. 26.

PHILADELPHIA MARITIME EXCHANGE.

Philadelphia, April 22, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—I have the honor to inform you that at a meeting of the Board of Managers of this Exchange, held 18th inst., the following gentlemen were, in accordance with the Ordinance of City Councils, approved December 31, 1878, nominated to fill vacancies in the Board of Port Wardens for the ensuing term, viz.:

Francis R. Cope,	P. A. Decan,
William R. Tucker,	E. Turley,
William Howell, Jr.,	Henry May.
Joseph S. Keen, Jr.,	Thomas B. Wattson,
Edw. K. Stevenson,	Theo. Frothingham,
Joseph S. Elwell,	William D. Winsor,
William Taggert,	F. M. Brooke,
George Russell,	John H. Michener,
Philip Fitzpatrick,	W. W. Steel.

Very respectfully,
EDW. R. SHARWOOD,
Secretary.

APPENDIX No. 27.

LAW DEPARTMENT.

Philadelphia, April 27, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—By your Ordinance of April 2, 1881, I was directed to investigate a rumor and report that the American Union Telegraph Company had consolidated with the Western

Union and the Atlantic and Pacific Telegraph Companies, and was further instructed that if I should find the rumor to be true I should notify the company to take down its poles, etc. I respectfully suggest that a committee of your honorable bodies be appointed to ascertain the truth of the above rumor, or that the question of fact be referred to the Superintendent of Police and Fire alarm Telegraph, who would probably be able to inform us of the truth in the matter.

An assistant in the Law Department has searched in vain for a Councilman or citizen willing to make affidavit that such consolidation has taken place, and we are unable, without such affidavit, to begin any proceeding.

Yours, very respectfully,

WM. NELSON WEST,

City Solicitor.

APPENDIX No. 28.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, May 5, 1881.

To the Presidents and Members
of Select and Common Councils.

GENTLEMEN:—I herewith enclose communication received from the contractor to whom was awarded the contract for the construction of a sewer on Morton street in the Twenty-second Ward, stating that on account of the property on a large proportion of said street being assessed as "rural or suburban," he will be unable to collect the cost of said construction either from the owners or from the City. I therefore refer the matter to your honorable bodies to take such action as the case may require, and remain,

Very respectfully,

WILLIAM BALDWIN,

Chief Commissioner of Highways.

Philadelphia, May 4, 1881.

WILLIAM BALDWIN, ESQ.,

Chief Commissioner of Highways.

DEAR SIR:—In the month of April last there was awarded to me by your Department a contract for the construction of a sewer on Morton street from Duval to High street, thence on High street to Wingohocking creek, being in the Twenty-second Ward.

On inquiry of the assessor of that ward, I ascertained that all the properties fronting on said streets are assessed for taxation as "*rural or suburban*," except those on the lower side of Morton street, which are assessed at the full City rate. On stating these facts to my counsel, I was advised that the Supreme Court had decided in Seeley *vs.* The City of Pittsburgh, 3 Weekly Notes of Cases, 413; Craig *vs.* The City of Philadelphia, 7 Weekly Notes of Cases, 117; and City *vs.* Rule, 8 Weekly Notes of Cases, 244, that "the method of assessing the cost of paving and other municipal improvements upon highways in proportion to the frontage on the street improved is, when applied to property in suburban districts, in derogation of the constitutional rights of the property holders."

I have also ascertained that the contract for said sewer, as drawn by the City Solicitor, contains a provision that the assessment bills against the property owners "shall be received as so much cash, and be collected *without recourse to the City of Philadelphia.*"

Under these circumstances, as it would be impossible to compel either the property owners or the City to pay for said sewer when completed, I must decline to sign said contract in its present form.

If the contract be so altered that, in case of my inability to collect from the property owners the said assessment bills (by reason of the foregoing decisions), the City will agree to pay the amount thereof, I will sign the same and enter the required security.

Very respectfully,

JOHN MURRAY,

2405 Thompson street.

APPENDIX No. 29.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, May 5, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN :—Annexed please find statement of the condition of the appropriation to the Department of Highways to May 1, 1881.

Very respectfully,

WM. BALDWIN,
Chief Commissioner of Highways.

Condition of the appropriation of the Department of Highways, May 1, 1881.

For	Appropriat'n	Expended.	Balance.
Items.			
1. Salaries	$25,215 00	$8,021 06	$17,193 94
2. Intersections	15,000 00	112 71	14,887 29
3. Repairing paved streets..... $45,000 00			
Transferred to City Ice Boat. $5,000 00			
Transf'd to Guard. of Poor.... 11,905 54			
16,905 54			
	28,094 46	1,891 60	26,202 86
4. Repairing meadow banks	500 00	48 00	452 00
5. Repairing unpaved streets..... $24,000 00			
Transferred to Guardians of Poor..... 4,000 00			
	20,000 00	173 38	19,826 62
6. Grading $17,000 00			
Transferred to Guardians of Poor..... 8,045 41			
	8,954 59	1,835 25	7,119 34
7. Repairing and rebuilding bridges..... $24,000 00			
Transferred to Guardians of Poor..... 6,860 00			
	17,140 00	10 00	17,130 00
8. Repairing sewers & inlets & cleaning... $28,000 00			
Transferred to Guardians of Poor..... 12,000 00			
	16,000 00	.....	16,000 00
9. Printing, stationery, and advertising	4,000 00	1,975 51	2,024 49
10. Insurance on bridges	2,000 00	.....	2,000 00
11. Office and yard expenses	7,000 00	1,662 85	5,337 15
12. Incidental expenses	1,750 00	329 10	1,420 90
13. Street index boards	500 00	.....	500 00
14. Repairing passenger railway streets	3,000 00	.....	3,000 00
15. Salaries of bridge watchmen	16,770 00	5,470 17	11,299 83
16. Repairing footways	2,000 00	40 50	1,959 50
17. Constructing branch sewers	3,500 00	712 14	2,787 86
18. Crossing stone	15,000 00	.....	15,000 00
19. Work and material City railroad	500 00	232 92	267 08
20. Constructing new inlets	1,000 00	95 80	904 20
21. Carriage hire and keep of horse C. C. of H	1,000 00	250 00	750 00
22. Lighting Girard avenue bridge	1,500 00	1,408 22	91 78
23. Coal oil & engineer's stores Penrose Ferry bridge	1,500 00	249 96	1,250 04
24. Constructing main sewers	50,000 00	220 85	49,779 15
25. Work, labor, etc., furnished prior to 1881	12,000 00	11,792 39	207 61
25½ Paving market plots South Eleventh street	3,000 00	.....	3,000 00
26. Removing tracks, grading and paving Market st...	42,000 00	.....	42,000 00
27. Grading and macadamizing Weccacoe avenue	3,500 00	.....	3,500 00
Total	$302,424 05	$36,532 41	$265,891 64

APPENDIX No. 30.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, May 5, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—I have had prepared an estimate, which I herewith present, of the cost of repairs which are imperatively necessary to be done on South street bridge, in order to render it safe for travel. As the appropriation applicable for such work has been transferred to another department, I present the matter to your honorable bodies for consideration, requesting such action as the importance of the case demands.

Very respectfully,

WILLIAM BALDWIN,
Chief Commissioner of Highways.

White oak 3-inch plank for draw,	-	12,000 ft. of 20 ft.
White oak 3-inch plank for trestle,	-	24,624 ft. of 18 ft.
White oak 3-inch plank for over railroad,		24,576 ft. of 16 ft.
		61,200 ft.
The plank will cost	- - - - -	$1,836 00
Spikes and work of laying,	- - - -	164 00
		$2,000 00

Machine work absolutely necessary to be done on draw, and ought to be done at once. 1st. It should be screwed up and the beams should be cut off so as to let the draw swing around both ways, as the wind may best afford its aid, and then it may work for some time to a great deal better advantage.

The machine work to cost $1,000. Total cost, $3,000.

PETER ROSE,
Asst. Com'r Sixth District.

APPENDIX No. 31.

RESOLUTION

Of request to the Chairman of the Finance Committee to draw up an ordinance to relieve those taxpayers who have been defrauded by the Assistant Deputy Receiver of Taxes.

WHEREAS, There are a large number of taxpayers in the Twenty-second Ward who have been defrauded by the embezzlement of Assistant Deputy Receiver W. J. Whartenby,

Resolved by the Common Council of the City of Philadelphia, That the Chairman of the Finance Committee draw up an ordinance to relieve such sufferers from all penalties and charges until their cases can be decided by the Court.

APPENDIX No. 32.

RESOLUTION

With reference to the enforcement of certain laws and ordinances.

WHEREAS, The Ordinance of September 23, 1864, and other laws and ordinances regulating public nuisances, obstructions of the streets, the discharge of drainage upon the sidewalks, and of liquors from manufacturing establishments into the streets, the manner of removal of ashes and garbage, the dumping of the same, or the contents of privy wells within certain limits, and other matters of police regulations are violated with impunity, because in many instances it is not made the duty of any one to enforce them.

Resolved by the Select and Common Councils of the City of Philadelphia, That his Honor, the Mayor, be respectfully requested to have every officer of the police force furnished with printed information as to all such matters as are contemplated in the preamble, and where he is so empowered direct them to enforce them, and in all other cases to report the violations of the law to him, to be by him referred to the head of the proper department for action.

APPENDIX No. 33.

RESOLUTION

With reference to certain nuisances..

WHEREAS, In many sections of the City hogs and cows fed upon swill are kept, the same being not only a violation of law, but a nuisance prejudicial to public health and comfort.

AND WHEREAS, The Board of Health has not the means to properly abate the said nuisance, and by the Act of 1849 such hogs or other animals are to be seized and delivered to the Board of Guardians of the Poor for the use of the poor.

Resolved by the Select and Common Councils of the City of Philadelphia, That his Honor the Mayor be respectfully requested to confer with the officers of the Board of Health and Guardians of the Poor, and devise stringent measures for the prompt and effectual abatement and suppression of all such nuisances, and in the meantime have the Lieutenants of Police report to him the location of every place where hogs and cows are kept in violation of law, and to serve notice upon every owner of the same to forthwith comply with the law.

APPENDIX No. 33½.

OFFICE OF ATTORNEY-GENERAL.

Harrisburg, February 21, 1876.

R. C. McMURTRIE, ESQ.

DEAR SIR:—With the explanation made by the Second and Third Streets Passenger Railway Company of Philadelphia, by affidavit, as to the terms on which the Peoples' Passenger Railway Company use the track on Front street, there seems to be nothing involved in your application for a writ of *quo warranto* against the Second and Third Streets line, except the proper construction of the first section of the

Act incorporating that company. In fact, it depends upon the construction of that clause of the section which authorizes the company to lay out and construct a railway along certain specified streets, "or along such other streets east of Third street as the Councils of the City of Philadelphia may authorize for the purpose of carrying out the object of this Act." But for the purpose of construing this clause the whole section must be read in connection with it, and, if necessary, the whole Act, and be so construed that every clause and word shall have its due force and operation; no part of it must be lost, if it can be made operative to constitute a consistent whole.

Prof. Liebu says, "that no sentence or form of words can have more than one true sense." Our own Courts have said that "when the sense is manifest, and leads to nothing absurd, there can be no reason not to adopt the sense which it naturally presents. To go elsewhere in search of conjectures, in order to restrain and extinguish it, is to elude it." The office of interpolation is to bring the sense out of the words used, and not to bring a sense into them.

The first inquiry is very naturally the object of the Act to incorporate the Second and Third Streets Passenger Railway Company of Philadelphia, approved April 10, 1858. Of course, the primary object was to authorize the corporators to lay out and construct a railway on streets in Philadelphia. The only question left to construction is, which of the streets?

Several streets are specially designated, and as to them there is no difficulty, but in addition to the streets named the company is authorized to lay out and construct a railway under the power conferred by the words "or along such other streets east of Third street as the Councils of the City of Philadelphia may authorize for the purpose of carrying out the object of this Act." The first question is, What streets are east of Third street which are designated by name? If I have been successful in tracing them upon the map of the City, they are all east of Third street, except Third street itself, a short distance on Germantown road, and a return on Oxford street to Third. The company having laid out and constructed the railway on a portion of the streets named, is it bound by the election, so that it cannot, with the authority of the City Councils, use any other of the streets east of Third street? This would, under the alter-

native grant of power, be nugatory, for having constructed a road on Third street, Germantown road, and Oxford street, the City Councils not having forbidden it within thirty days, and then having applied for affirmative authority for other streets, the Councils refuse to grant, the company would be confined to a railway on Third street, Germantown road, and Oxford street, upon which it is limited to a single track by the proviso to the first section, except as to the short distance on Oxford street. This would bring us to an absurdity. A railway on a single street, with a single track, would be useless.

But something was intended to be granted by the clause of the section under consideration. It was not placed in the body of the section idly or uselessly. If we can bring the sense out of it, we must do it; substituting the word "and" for the word "or," which is entirely permissible, if the sense require it, we have a plain, consistent, and unambiguous section, every word of which can be made operative. The Legislature intended to grant something for the purpose of carrying out the object of the Act. That something was the laying out and constructing railways, on *such other streets east of Third* as the Councils may authorize.

The object of the Act was to grant power to lay out and construct a railway. Having gone so far in naming streets as was thought prudent, the Legislature delegated to City Councils a negative on what had been done, if exercised within thirty days, and an affirmative power to extend the grant at any future time "as public convenience may from time to time require."

This power seems to extend to all streets east of Third street, leaving it to the discretion and wisdom of the City Councils to say which may be so used, and at what time or times the grant was to be extended. How can we say that this delegated power to legislate, or rather to designate, the streets over which the legislation should extend should be extended to any particular streets? And how can we say that Front street was excluded? If we exclude Front street, why not any others when the citizens owning property object?

If there be any such limitation, we must look for it in the Act, and, to show that the Legislature did take into con-

sideration the extent of the grant of power, and reviewed the body of the section to ascertain whether it was too great, we find that there is no proviso which is a limitation upon what has been granted. It provides that nothing in the Act shall be construed to authorize the construction of a double track on Second and Third streets, or on Frankford road north of Franklin avenue. This proviso takes back what had been affirmatively granted in reference to Frankford road north of Franklin avenue, and impliedly granted as to Second and Third streets.

That which permits must yield to that which forbids, and the Legislature seem to have understood this principle and acted upon it, and, having expressed a prohibition of certain things, excludes the idea of intending any other limitation on what seems to be granted in plain words. There appears to be no grounds for the construction of the words "for the purpose of carrying out the object of this Act," that they mean for the purpose of completing circuits or making connections. Such a construction would require the interpolation of words not contained in the section. That can be done only where the words are equivocal or the sentence ambiguous. But that is not the case here. The section is a single sentence, somewhat compounded, and enshrouded in some verbal obscurity, but it is not ambiguous. Full effect can be given to every word, and the whole will make good sense. Where that is the case, it is the one true sense and must be adopted. If the words themselves lead to no absurdity or injustice we cannot grope among conjectures to supply a possible intention.

It is clear to me that with the affirmative permission of City Councils, which has been given, the Act gives the Second and Third Streets Passenger Railway Company authority to lay out and construct a railway on Front street. With these views, of course I cannot use, nor permit to have used, the Commonwealth's writ of *quo warranto* against the company for having done it.

Yours, truly,

GEORGE LEAR,
Attorney-General.

APPENDIX No. 34.

RESOLUTION

To appoint a Committee to inquire into the eligibility of Fire Commissioners elected by Common Council.

Resolved by the Common Council of the City of Philadelphia, That a Committee of three members of this chamber be appointed to inquire into the eligibility of the members of the Board of Fire Commissioners elected by the Common Council.

APPENDIX No. 35.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered a communication from the Chief Commissioner of Highways, relative to the grading of Germantown avenue, from Gorgas lane to Chestnut Hill and Spring House road, and ascertaining that the work will cost about $4,500 instead of $1,200, the amount of limit in the ordinance, submit the annexed ordinance to amend the ordinance of grading accordingly, and limiting the amount to be expended this year to $2,000, and recommend its passage.

HENRY CLAY, *Ch'n,*
WALTER E. REX,
A. A. CATANACH,
J. DALLAS HALL,
JOHN C. BICKEL,
GEORGE R. SNOWDEN,
THOS. M. HAMMETT,
S. S. HOLLINGSWORTH,
DAVID WALLACE,
JOHN SHEGOG,
WM. B. IRVINE,
OLIVER PARKER,
JAS. R. GATES,
JNO. A. HOUSEMAN.

AN ORDINANCE

To amend an ordinance entitled "An Ordinance to authorize the grading of Germantown avenue, from Gorgas street to junction of the Chestnut Hill and Spring House road, in the Twenty-second Ward."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the ordinance entitled "An

Ordinance to authorize the grading of Germantown avenue, from Gorgas street to junction of the Chestnut Hill and Spring House road, in the Twenty-second Ward," approved June 24, 1880, be altered and amended by striking out the words, "twelve hundred (1,200) dollars," and inserting in lieu thereof the words, "forty-five hundred (4,500) dollars," and by adding the following: "*Provided further*, That not more than two thousand (2,000) dollars shall be expended during the year 1881 from item 6 of the annual appropriation to the Department of Highways, etc. for said year."

APPENDIX No. 36.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to receive the water rents of all National or State properties in half yearly payments, "reported to Councils by the Committee on Water Works, and referred to this Committee," and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
DAVID WALLACE,
A. A. CATANACH,
J. DALLAS HALL,
JOHN C. BICKEL,
GEORGE R. SNOWDEN,
THOS. M. HAMMETT,
WALTER E. REX,
S. S. HOLLINGSWORTH,
JOHN SHEGOG,
WM. B. IRVINE,
OLIVER PARKER,
JAS. R. GATES,
JNO. A. HOUSEMAN.

AN ORDINANCE

To authorize the Chief-Engineer of the Department for Supplying the City with Water, to receive the water rents of all National or State properties in half-yearly payments.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief-Engineer of the

Department for Supplying the City with Water be, and he is, hereby authorized to receive the water rents of all National or State properties in half-yearly payments, without penalty.

All ordinances or parts of ordinances inconsistent therewith be, and the same is, hereby repealed.

APPENDIX No. 37.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water to make all repairs (including boiler cleaning) to works; to employ all horses and wagons or carts required, and to lay water pipe other than by contract; and also interpreting Item 21 of the annual appropriation to said department, reported by the Committee on Water Works and referred to this Committee, and having added the words to Section 1: "*Provided*, That ditching and cleaning of boilers shall be done by contract after July 15, 1881," report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
WALTER E. REX,
DAVID WALLACE,
S. S. HOLLINGSWORTH,
A. A. CATANACH,
JOHN SHEGOG,
J. DALLAS HALL,
WM. B. IRVINE,
JOHN C. BICKEL,
OLIVER PARKER,
GEORGE R. SNOWDEN,
THOS. M. HAMMETT,
JOHN A. HOUSEMAN.

AN ORDINANCE

To authorize the Chief-Engineer of the Department for the Supplying the City with Water to make all repairs (including boiler cleaning) to works; to employ all horses and wagons or carts required; and to lay water pipe other than by contract; and also interpreting Item 21 of the annual appropriation to said department.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief-Engineer of

the Department for Supplying the City with Water be, and he is, hereby authorized and directed to make all repairs (including boiler cleaning) to works; to employ all horses and wagons or carts required; and to lay water by day's labor, the same as heretofore: *Provided*, That ditching and cleaning of boilers shall be done by contract after July 15, 1881.

SECT. 2. That the words: "For keeping buildings, grounds, and reservoirs in good order," in Item 21, annual appropriation, is intended to include all buildings or parts thereof occupied or used by the department.

SECT. 3. That the City Controller be, and he is, authorized and directed to approve all warrants drawn upon Items 16, 18, 19, 20, and 21, respectively, in payment by day's work, of all horses and wagons or carts, or labor used in making repairs to works; making drills and new attachments; keeping pipes, plugs, stops, etc., in good order; laying water pipe, and keeping buildings, grounds, and reservoirs in good order; and also to approve warrants drawn in payment of one janitor and two watchmen for Chief-Engineer's office upon Item 21, annual appropriation to the Department for Supplying the City with Water.

APPENDIX No. 38.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize a transfer in the annual appropriation to the Department for supplying the City with Water for the year 1881, reported by the Committee on Water Works, and referred to this Committee, and report the same back, with that portion relating to temporary clerks stricken out, and recommend its passage.

HENRY CLAY, *Ch'n*,
WALTER E. REX,
S. S. HOLLINGSWORTH,
DAVID WALLACE,
A. A. CATANACH,
JOHN SHEGOG,
J. DALLAS HALL,
WM. B. IRVINE,
JOHN C. BICKEL,
OLIVER PARKER,
GEORGE R. SNOWDEN,
JAS. R. GATES,
THOS. M. HAMMETT,
JOHN A. HOUSEMAN.

AN ORDINANCE

To authorize a transfer in the annual appropriation to the Department for supplying the City with Water for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and he is, hereby authorized and directed to make the following transfer in the annual appropriation to the Department for supplying the City with Water for the year 1881:

From Item 20, for labor in laying pipes, the sum of one thousand three hundred and fifty (1,350) dollars to a new item, to be called

Item 26. For the salaries of two permanent clerks, making and keeping the records of pipe frontage and plans, at the rate of nine hundred (900) dollars per year each, thirteen hundred and fifty (1,350) dollars. Payments to commence from April 15, 1881.

APPENDIX No. 39.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to amend the proviso appended to the ordinance making an appropriation to the Guardians of the Poor for the year 1881, and having amended the same, report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
S. S. HOLLINGSWORTH,
A. A. CATANACH,
J. DALLAS HALL,
JOHN C. BICKEL,
GEORGE R. SNOWDEN,
WALTER E. REX,
DAVID WALLACE,
JOHN SHEGOG,
WM. B. IRVINE,
OLIVER PARKER,
JAS. R. GATES,
THOS. M. HAMMETT.

AN ORDINANCE

To amend the proviso appended to the ordinance making an appropriation to the Guardians of the Poor for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the proviso appended to the ordinance of December 31, 1880, making an appropriation to the Guardians of the Poor for the year 1881 be altered and amended by adding at the end of the last proviso the words, "*Provided also*, That the bill of the Superintendent shall give the items of the marketing purchased by him, together with the names of the persons from whom the purchases are made, and the quantities and the amounts purchased from each of said persons per day."

APPENDIX No. 40.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to make an appppropriation to Item 7, in the annual appropriation to the Clerks of Councils for the year 1881, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
WALTER E. REX,
S. S. HOLLINGSWORTH,
DAVID WALLACE,
A. A. CATANACH,
JOHN SHEGOG,
J. DALLAS HALL,
WM. B. IRVINE,
JOHN C. BICKEL,
OLIVER PARKER,
GEORGE R. SNOWDEN,
JAS. R. GATES,
THOS. M. HAMMETT,
JNO. A. HOUSEMAN.

AN ORDINANCE

To make an appropriation to Item 7 in the annual appropriation to the Clerks of Councils for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of three thousand (3,000) dollars be, and the same is, hereby appropriated to Item 7, in the annual appropriation to the Clerks of Councils for the year 1881, for incidentals.

APPENDIX No. 41.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize a certain transfer in the annual appropriation to the Department of Markets and City Property for the year 1881, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	WALTER E. REX,
DAVID WALLACE,	S. S. HOLLINGSWORTH,
A. A. CATANACH,	JOHN SHEGOG,
J. DALLAS HALL,	WM. B. IRVINE,
JOHN C. BICKEL,	OLIVER PARKER,
GEORGE R. SNOWDEN,	JAS. R. GATES,
THOS. M. HAMMETT,	JNO. A. HOUSEMAN.

AN ORDINANCE

To authorize a certain transfer in the annual appropriation to the Department of Markets and City Property for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be, and he is, hereby authorized and directed to make the following transfer in the annual appropriation to the Department of Markets and City Property for the year 1881, to wit:

From Item 5, for cleaning docks, six hundred (600) dollars to Item 23, for removing ice and snow from pavements in front of State House row, public halls, and squares.

APPENDIX No. 42.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance to approve the contract and surety of Hiram A. Miller for the erection of privies at the Kenderton School-house, in the Twenty-eighth Section, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
WALTER E. REX,
A. A. CATANACH,
J. DALLAS HALL,
OLIVER PARKER,
GEORGE R. SNOWDEN,
THOS. M. HAMMETT,
S. S. HOLLINGSWORTH,
DAVID WALLACE,
JOHN SHEGOG,
W. B. IRVINE,
JOHN C. BICKEL,
JAS. R. GATES,
JNO. A. HOUSEMAN.

AN ORDINANCE

To approve the contract and surety of Hiram A. Miller for the erection of privies at the Kenderton School-house, in the Twenty-eighth Section.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the contract of Hiram A. Miller for the erection of privies at the Kenderton School-house, in the Twenty-eighth Section, be, and the same is, hereby approved, and that Hiram Miller be, and he is, hereby approved as surety for the faithful performance of said contract.

SECT. 2. That the City Solicitor be, and he is, hereby instructed to restrict the lien of the judgment to be entered on the bond accompanying said contract, as against the said Hiram Miller, to properties Nos. 1923 and 1927 Marvine street, in the Twenty-eighth Ward.

APPENDIX No. 43.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to approve the contract and sureties of Charles O'Neill, Jr., for the erection of a school-house at the southeast corner of Twenty-sixth and Jefferson streets, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n,*	WM. B. IRVINE,
WALTER E. REX,	JOHN C. BICKEL,
DAVID WALLACE,	OLIVER PARKER,
S. S. HOLLINGSWORTH,	GEORGE R. SNOWDEN,
JOHN SHEGOG,	JAS. R. GATES,
J. DALLAS HALL,	THOS. M. HAMMETT,

JNO. A. HOUSEMAN.

AN ORDINANCE

To approve the contract and sureties of Charles O'Neill, Jr., for the erection of a school-house at the southeast corner of Twenty-sixth and Jefferson streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the contract of Charles O'Neill, Jr., for the building of a school-house at the southeast corner of Twenty-sixth and Jefferson streets be, and the same is, hereby approved, and that James Mulligan, James E. Dingee, and Mary C. Mullen be, and they are, hereby approved as sureties for the faithful performance of said contract.

SECTION 2. That the City Solicitor be, and he is, hereby instructed to restrict the lien of the judgment to be entered on the bond accompanying said contract, as against James Mulligan, to premises on the west side of Gray's Ferry Road, 90 feet $6\frac{5}{8}$ inches southward from the south side of Peltz street; as against James E. Dingee, to property on the southeast corner of Columbia avenue and Twenty-fourth street,

38 feet 3 inches on Columbia avenue, by 80 feet in depth, and as against Mary C. Mullen, to property on the north side of Chestnut street 140 feet west of Broad street, and No. 618 South Thirteenth street.

APPENDIX No. 44.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to make an appropriation to the Board of Public Education to pay for the erection of privies, etc., at the Kenderton School-house, Fifteenth and Tioga streets, Twenty-eighth Ward, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	WALTER E. REX,
S. S. HOLLINGSWORTH,	DAVID WALLACE,
A. A. CATANACH,	JOHN SHEGOG,
J. DALLAS HALL,	WM. B. IRVINE,
JOHN C. BICKEL,	OLIVER PARKER,
GEORGE R. SNOWDEN,	JAMES R. GATES,
THOS. M. HAMMETT,	JOHN A. HOUSEMAN.

AN ORDINANCE

To make an appropriation to the Board of Public Education to pay for the erection of privies, etc., at the Kenderton School-house, Fifteenth and Tioga streets, Twenty-eighth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of seven hundred and forty-five (745) dollars be, and the same is, hereby appropriated to the Board of Public Education out of the following loans for school purposes, viz.: Loan approved June 25, 1872, the sum of three hundred and eighty-three (383) dollars; loan approved December 30, 1873, the sum of three hundred and sixty-two (362) dollars, to pay for the erection of privies, etc., at the Kenderton School-house, Twenty-eighth Ward, warrants for the same to be drawn by the Board of Public Education.

APPENDIX No. 45.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to make an appropriation to the Law Department, to meet the expenses of a suit against the Trustees of the Philadelphia Gas Works, and having reduced the appropriation to $2,000 dollars, report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
WALTER E. REX,
S. S. HOLLINGSWORTH,
DAVID WALLACE,
A. A. CATANACH,
JOHN SHEGOG,
J. DALLAS HALL,
WM. B. IRVINE,
JOHN C. BICKEL,
OLIVER PARKER,
GEORGE R. SNOWDEN,
THOS. M. HAMMETT,
JOHN MCCULLOUGH.

AN ORDINANCE

To make an appropriation to the Law Department to meet the expenses of a suit against the Trustees of the Philadelphia Gas Works.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the sum of two thousand (2,000) dollars be, and the same is, hereby appropriated to the Law Department, to meet the expenses of the City's suit against the Trustees of the Philadelphia Gas Works.

SEC. 2. The City Solicitor shall draw warrants against the same upon bills to be approved by him and the Law Committee of Councils, in payment of such experts and additional counsel as he may deem it advisable to secure and employ in aid of the City in the said suit, and in payment of all necessary costs and expenses in and about the said suit.

APPENDIX No. 46.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance to make an appropriation to grade and pave streets in the Twenty-fifth Ward; also an ordinance to make an appropriation to build a bridge on the line of Thompson street over the Reading Railroad, Twenty fifth Ward, the same to be taken out of the surplus now in the sinking fund, and report the came back with a negative recommendation, and request the passage of the annexed resolution.

HENRY CLAY, *Ch'n*,
WALTER E. REX,
S. S. HOLLINGSWORTH,
DAVID WALLACE,
A. A. CATANACH,
JOHN SHEGOG,
J. DALLAS HALL,
WM. B. IRVINE,
JOHN C. BICKEL,
OLIVER PARKER,
GEORGE R. SNOWDEN,
JAS. R. GATES,
THOS. M. HAMMETT,
JOHN A. HOUSEMAN.

RESOLUTION

To discharge the Committee on Finance from the consideration of ordinances to make an appropriation to build a bridge, and grade and pave streets in the Twenty-fifth Ward.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Finance be discharged from the further consideration of an ordinance to make an appropriation to build a bridge on the line of Thompson street over the Reading Railroad, Twenty-fifth Ward; also an ordinance to make an appropriation to grade and pave streets in the Twenty-fifth Ward.

APPENDIX No. 47.

Philadelphia, May 5, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinance to authorize the paving of Collins street, from Huntingdon street to Lehigh avenue, in the Thirty-first Ward, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	WM. R. GARDY,
JAS. MORAN,	ALEX. REINSTINE,
J. M. VANDERSLICE,	GEO. RONEY,
A. ALBRIGHT,	JNO. A. HOUSEMAN,
JOHN S. DAVIS,	DAVID MULLEN,
EDW. W. PATTON,	HUGH COPELAND,
FRANCIS MARTIN,	DANIEL SCHELLINGER.

AN ORDINANCE

To authorize the paving of Collins street, from Huntingdon street to Lehigh avenue, in the Thirty-first Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to enter into a contract with a competent paver or pavers, who shall be selected by a majority of the owners of property fronting on said street, with the approval of the Chief Commissioner of Highways, for the paving of Collins street, from Huntingdon street to Lehigh avenue, in the Thirty-first Ward, with cobble pavement; no cost for intersections. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said street, and shall also enter into an obligation to the City to keep said street in good repair for three years after the paving is finished: *Provided,* Said street shall be first dedicated or properly opened.

APPENDIX No. 48.

Philadelphia, May 5, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinance to authorize the grading of Sedgley avenue, from York street to Lamb Tavern road, and from Ridge avenue to Montgomery avenue, in the Twenty-eighth Ward, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	WILLIAM R. GARDY.
JAS. MORAN,	ALEX. REINSTINE,
J. M. VANDERSLICE,	GEORGE RONEY,
JNO. A. HOUSEMAN,	JOHN S. DAVIS,
A. ALBRIGHT,	DAVID MULLEN,
EDW. W. PATTON,	HUGH COPELAND,
FRANCIS MARTIN,	DANIEL SCHELLINGER.

AN ORDINANCE

To authorize the grading of Sedgley avenue, from York street to Lamb Tavern road, and from Ridge avenue to Montgomery avenue, in the Twenty-eighth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief Commissioner of Highways be, and is, hereby authorized and directed to grade the following streets to the established grade of the City, viz.: Sedgley avenue, from York street to Lamb Tavern road, and from Ridge avenue to Montgomery avenue, in the Twenty-eighth Ward; cost not to exceed twelve hundred and fifty (1,250) dollars: *Provided*, That said street shall be first dedicated or properly opened, and that the owners of property fronting on said street shall grade, curb, and pave their sidewalks: *And further provided*, That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

APPENDIX No. 49.

Philadelphia, May 5, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petitions and ordinance to authorize the grading of Davis, Aspen, and Collins streets, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	WILLIAM R. GARDY,
JAS. MORAN,	ALEX. REINSTINE,
J. M. VANDERSLICE,	GEORGE RONEY,
JNO. A. HOUSEMAN,	JOHN S. DAVIS,
A. ALBRIGHT,	DAVID MULLEN,
EDW. W. PATTON,	HUGH COPELAND,
FRANCIS MARTIN,	DANIEL SCHELLINGER,

AN ORDINANCE

To authorize the grading of Davis, Aspen, and Collins streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to grade the following streets to the established grade of the City, viz.: Davis street, from Ezekiel street to a point 250 feet southwest thereof, in the Twenty-first Ward; cost not to exceed seventy-five (75) dollars. Aspen street, from Thirty-seventh street to Thirty-eighth street, in the Twenty-fourth Ward; cost not to exceed eight hundred and eighty-eight (888) dollars. Collins street, from Huntingdon street to Lehigh avenue, in the Thirty-first Ward; cost not to exceed one hundred and twenty-five (125) dollars: *Provided,* That said streets shall be first dedicated or properly opened, and that the owners of property fronting on said streets shall grade, curb, and pave their sidewalks. *And further provided,* That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

APPENDIX No. 50.

Philadelphia, May 5, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinance to authorize the grading of Sharswood street, from Twenth-fourth street to Twenty-sixth street, in the Twenty-ninth Ward, respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	WILLIAM R. GARDY,
JAMES MORAN,	ALEX. REINSTINE,
J. M. VANDERSLICE,	GERGE RONEY,
JOHN A. HOUSEMAN,	JOHN S. DAVIS,
A. ALBRIGHT,	DAVID MULLEN,
EDW. W. PATTON,	HUGH COPELAND,
FRANCIS MARTIN,	DANIEL SCHELLINGER.

AN ORDINANCE

To authorize the grading of Sharswood street, from Twenty-fourth to Twenty sixth street, in the Twenty-ninth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to grade the following street to the established grade of the City, viz.: Sharswood street, from Twenty-fourth street to Twenty-sixth street, in the Twenty-ninth Ward; cost not to exceed one thousand (1,000) dollars: *Provided,* That said street shall be first dedicated or properly opened, and that the owners of property fronting on said street shall grade, curb, and pave their sidewalks: *And further provided,* That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

APPENDIX No. 51.

Philadelphia, May 5, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinance to authorize the opening of Zimmerman street, from Twenty-sixth to Thirtieth street, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	WILLIAM R. GARDY,
JAS. MORAN,	ALEX. REINSTINE,
J. M. VANDERSLICE,	GEORGE RONEY,
JOHN A. HOUSEMAN,	JOHN S. DAVIS,
A. ALBRIGHT,	DAVID MULLEN,
EDW. W. PATTON,	HUGH COPELAND,
FRANCIS MARTIN,	DAN'L SCHELLINGER.

AN ORDINANCE

To authorize the opening of Zimmerman street, from Twenty-sixth to Twenty-eighth street, in the Twenty-ninth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to notify the owners of property over and through which Zimmerman street, from Twenty-sixth street to Twenty-eighth street, in the Twenty-ninth Ward, will pass, that at the expiration of three months from the date of said notice said street will be required for public use. *Provided,* That the benefits which shall be assessed upon the owners of the property in the vicinity shall amount to a sum equal to the damages awarded to the owners of property taken for public use by reason of said opening. *Provided,* That the City of Philadelphia shall be at no expense by reason of the opening of said street.

APPENDIX No. 52.

Philadelphia, May 5, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of William Achuff, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	WM. R. GARDY,
JAS. MORAN,	ALEX. REINSTINE,
J. M. VANDERSLICE,	GEO. RONEY,
JNO. A. HOUSEMAN,	JOHN S. DAVIS,
A. ALBRIGHT,	DAVID MULLEN,
EDW. W. PATTON,	HUGH COPELAND,
FRANCIS MARTIN,	DAN'L SCHELLINGER.

AN ORDINANCE

To authorize the Chief Commissioner of Highways to draw a warrant in favor of William Achuff.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to draw a warrant in favor of William Achuff, for the sum of one hundred and twenty-eight (128) dollars and eighty-six (86) cents, the same being in payment for the paving of the intersection of Fifth street and Tioga street, the above amount to be taken from Item 2 in the annual appropriation to the Department of Highways for the year 1881. All ordinances or parts of ordinances inconsistent herewith be, and the same are, hereby repealed.

APPENDIX No. 53.

Philadelphia, May 5, 1881.

To the Presidents and Members of
Select and Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinance granting permission to the Enterprise Manufacturing Co. to construct an underground flue or air-duct in Bodine street, south of Dauphin street, respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and and ask its passage.

DAVID WALLACE, *Ch'n*,	JOHN S. DAVIS,
WILLIAM R. GARDY,	A. ALBRIGHT,
JAS. MORAN,	DAVID MULLEN,
ALEX. REINSTINE,	EDW. W. PATTON,
J. M. VANDERSLICE,	HUGH COPELAND,
GEORGE RONEY,	FRANCIS MARTIN,
JOHN A. HOUSEMAN,	DANIEL SCHELLINGER.

AN ORDINANCE

Granting permission to the Enterprise Manufacturing Company of Pennsylvania to construct an underground flue or air-duct on Bodine street, south of Dauphin street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That permission be, and is, hereby granted to the Enterprise Manufacturing Company of Pennsylvania to construct an underground flue or air-duct, to be not over four feet internal diameter in Bodine street, commencing 252 feet south of Dauphin street at the building of said company on the west side of the said Bodine street, continuing 164 feet southwardly, crossing the said Bodine street, and emptying into a property on the east side of the said Bodine street, now owned and occupied by the said Enterprise Manufacturing Company of Pennsylvania as a coal yard: *Provided*, That the said coal yard is of sufficient depth below the street level to give a proper terminus to the flue, and permit the deposit of dust without injury or detriment

to any one: *Provided further*, That the City of Philadelphia shall be at no expense for the breaking of the street, construction of said flue or air-duct, or repaving the street when the same shall have been constructed: *And provided further*, That said work shall be done under the supervision of the Commissioner of Highways; that the permission hereby granted shall be revocable by the passage of an ordinance or resolution to that effect, without notice, and that the said Enterprise Manufacturing Company of Pennsylvania shall, before availing themselves of the permission hereby granted, pay into the City Treasury the sum of fifty dollars for the publication of this ordinance.

APPENDIX No. 54.

Philadelphia, May 4, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying applications for branch sewers on Medina, Howard, and Cumberland streets, beg leave to report, that the construction of sewers in these streets has been approved by the Board of Surveyors in conformity with law, and that your Committee find them necessary for the public health and convenience. Their aggregate length is 1,550 feet, and the assessment on the properties on their line exceeds their estimated cost by one thousand dollars. We submit an ordinance for their construction, and recommend its speedy passage.

WALTER E. REX, *Ch'n*,
JOHN CARPENTER,
S. A. MILLER,
FRANKLIN REED,
A. ATWOOD GRACE,
JAMES DONALDSON,
JOHN W. DURHAM,
EDW. W. PATTON,
DAVID MULLEN,
FRANCIS MARTIN,
DANIEL SCHELLINGER,
JAMES L. MILES,
JAS. EVANS,
JAS. R. GATES.

AN ORDINANCE

To authorize the construction of sewers on Medina, Howard, and Cumberland streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Highways be, and is, hereby authorized to construct the following sewers, viz.: On Medina street, from the sewer in Seventh street to the east curb line of Eighth street; on Howard street, from the sewer in York street to the middle of Cumberland street; and also from the sewer in Dauphin street to a point sixty (60) feet southward from the south line of York street, and on Cumberland street, from the end of the present sewer near Newkirk street to the middle of Edgemont street.

Said sewers to be built of brick, circular in shape, and in accordance with specifications prepared by the Chief-Engineer and Surveyor.

SECT. 2. The Chief Commissioner of Highways shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest bidders, and it shall be a condition of said contract that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance, entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869.

APPENDIX No. 55.

Philadelphia, May 4, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to authorize the widening of Thirtieth street, in the

Twenty-seventh Ward, beg leave to report that this is an ordinance to widen Thirtieth street, from the angle below Walnut street southward, and to authorize the Pennsylvania Railroad Company to occupy a portion thereof for its tracks. The increasing business of the Company demands greater room, which, if the present lines are adhered to, can only be afforded by encroaching on the space set apart for public travel.

Your Committee, after full consideration, find that more room should be given for the purposes of the Company, and as the ordinance provides for an engagement, on its part, to pay all damages that may be incurred by the City for and on account of the widening, we return the ordinance and recommend its passage.

Walter E. Rex, *Ch'n*,	John Carpenter,
S. A. Miller,	Franklin Reed,
A. Atwood Grace,	Jas. Donaldson,
John W. Durham,	Edw. W. Patton,
David Mullen,	Francis Martin,
Daniel Schellinger,	James L. Miles,
Jas. Evans,	Jas. R. Gates.

AN ORDINANCE

Providing for the widening of Thirtieth street, Twenty-seventh Ward.

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Surveys be, and it is, hereby authorized and directed to place upon the Plans of the City, Thirtieth street from the angle immediately below Walnut street southward through the Almshouse property, with a width of one hundred feet, and with footways not exceeding ten (10) feet in width, and that the Pennsylvania Railroad Company be authorized to occupy thirty-six feet of the carriage-way thereof for railroad purposes: *Provided,* The said Company shall within ten days after the passage of this ordinance, file a bond with the City Solicitor, of such amount and with such surety as shall be approved by him, conditioned to pay any damages that may be assessed against the City for and on account of said widening.

APPENDIX No. 56.

Philadelphia, May 4, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying communication from John Welsh, Esq., in reference to the faulty laying out of the public streets, with respect to the natural configuration of the ground in a portion of the Twenty-first and Twenty-second Wards, beg leave to report that we are convinced of the propriety of making such changes as will make the streets conform more nearly to the natural slopes.

In order, however, to revise the plan with intelligence and certainty, a topographical survey should be first made; the area to be covered comprises about 2,900 acres, 2,000 of which are not yet built up.

We present an ordinance authorizing such a survey, and recommend its passage.

WALTER E. REX, *Ch'n*,	JOHN CARPENTER,
S. A. MILLER,	FRANKLIN REED,
A. ATWOOD GRACE,	JAS. DONALDSON,
JOHN W. DURHAM,	EDW. W. PATTON,
DAVID MULLEN,	FRANCIS MARTIN,
DANIEL SCHELLINGER,	JAMES L. MILES,
JAMES EVANS,	JAMES R. GATES.

AN ORDINANCE

To authorize a topographical survey of parts of the Twenty-first and Twenty-second Wards.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Surveys be, and is, hereby directed to make a topographical survey of those parts of the Twenty-first and Twenty-second Wards, bounded by School street, Mermaid avenue, Germantown avenue, and the Wissahickon creek.

APPENDIX No. 57.

Philadelphia, May 4, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Prisons respectfully report that at a meeting of the Committee on Prisons, held this day, the memorial in relation to the selection of Guardians of the Poor was ordered to be reported to Councils with a favorable recommendation, the Committee fully endorsing the sentiments therein contained.

JAS. MCCORMICK, *Ch'n*,	WM. B. BEMENT,
J. K. CUMING,	GEO. H. MCCULLY,
ROBT. S. LEITHEAD,	JOHN SIMMONS,
WM. S. REYBURN,	THOS. GREEN,
JAS. MORAN,	CHAS. K. SMITH,
WM. A. FOSTER,	PETER MONROE,
OLIVER PARKER,	JAS. EVANS,
WM. MCMULLEN,	WM. HENRY LEX,

J. A. BEAVER.

APPENDIX No. 58.

Philadelphia, May 5, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Joint Special Committee appointed to confer with the Commissioners for the Erection of the Public Buildings to ascertain what arrangements could be made for accommodations for Clerks and Select and Common Councils, respectfully report that they met the Commissioners at the Public Buildings on Tuesday afternoon, the 3d inst., when the President of the Commission stated that the idea of the Commissioners was to permanently finish the southern side of the building, and as fast as possible to provide accommodations for those departments of the City which are occupy-

ing rented quarters. The appropriation for this year was $750,000, which only permitted the work of general construction, which was being carried on as rapidly as possible under contracts already made. The reason why the accommodations of Councils were not taken into more prompt consideration, was because it seemed to be the general expression of its members two years ago that they were willing to endure their present quarters for some time longer, so that rented buildings might be yielded up. If the Commission had all the money asked for by next fall a year, the accommodations might be given, but if not, possession might be deferred another year longer.

He also remarked that thousands of dollars had been saved and the public better convenienced by what had been done in providing accommodations for the Highway, Survey, Tax, City Property, and other departments now on the eastern side, but a great deal of temporary work had been necessary, which it was desired to avoid in the other portions of the building. The Commission were at present striving to provide for the City Controller, City Treasurer, City Commissioners, and Orphans' Court, who all occupy rented quarters, as well as for the four Courts of Common Pleas, which are now cramped for room.

The Committee therefore recommend that the Committee on Finance take this subject into consideration in making their annual appropriation to the Commission for the year 1882. The Committee request the passage of the annexed resolution.

S. A. Miller, *Ch'n*, David Mullen,
John L. Grim, Theodore D. Spear,
Chas. K. Smith, W. Ellwood Rowan.

RESOLUTION

To discharge the Joint Special Committee on Accommodations for Councils in the new Public Buildings from the consideration of the subject.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Joint Special Committee appointed to confer with the Commissioners for the Erection of the Public Buildings, in regard to accommodations for the Select

and Common Councils in said buildings, be, and the same are, hereby discharged from the further consideration of the subject.

APPENDIX No. 59.

RESOLUTION

To appoint a Joint Special Committee to reorganize the Fire Department.

Resolved by the Select and Common Councils of the City of Philadelphia, That a committee of five members from each chamber be appointed for the purpose of taking into consideration the reorganization of the Paid Fire Department of Philadelphia.

APPENDIX No. 60.

OFFICE OF THE CHIEF ENGINEER AND SURVEYOR.

Philadelphia, May 19, 1881.

WILLIAM H. LEX, ESQ.,
President of Common Council.

DEAR SIR:—I am in receipt of a joint resolution of Select and Common Councils, passed April 21st, directing the Chief Engineer and Surveyor not to proceed with laying the railway track on the South Street Bridge for the use of the Lombard and South Streets Passenger Railway Company, under the ordinance of July 14, 1876, until he shall be satisfied that the western approach to the said bridge is put in a thoroughly safe condition.

I have made a careful examination of the trestle work on the approach, and find the timber in good condition and perfectly safe for general travel. Irregular settlement of trestles resting on the *debris* was expected, but this does not impair the strength or safety thereof, although it is unsightly. This should be levelled up, and it can be done with but little work. The timber, however, on all the iron structures is so much decayed as to need entire renewal, and a proposal from the Lombard and South Streets Passenger Railway Company to do this has formally been made to you, through your Finance Committee. This renewal and repair to the draw are highly necessary, and should be done as quickly as possible.

Very respectfully,

(Signed.) SAMUEL L. SMEDLEY,
Chief Engineer and Surveyor.

APPENDIX No. 61.

OFFICE OF THE COMMISSIONERS OF FAIRMOUNT PARK.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—I am directed by the Commissioners of Fairmount Park to transmit to you the annexed copy of a resolution adopted by the Board on the 14th inst.

Very respectfully,
F. M. DOUGHERTY,
Secretary.

—

Philadelphia, May 14, 1881.

At a meeting of the Commissioners of Fairmount Park, held this day, the following resolution was adopted, viz.:

Resolved, That the Councils of the City of Philadelphia be requested to direct the Chief Engineer of the Water Department to remove the large water mains strewn about the East Park reservoir to the department storehouse, or to such more secluded portion of the Park as the Commissioners of said Park may designate.

Attest: F. M. DOUGHERTY,
Secretary.

APPENDIX No. 62.

PHILADELPHIA MARITIME EXCHANGE.

Philadelphia, May 10, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Mr. F. M. Brooke having declined the nomination for the Board of Port Wardens, I have the honor to present the name of Mr. Isaac Hough as the nominee of this Exchange in his stead.

Very respectfully,
EDW. R. SHARWOOD,
Secretary.

APPENDIX No. 63.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We are informed that the Chief Commissioner of Highways, under authority derived from your honorable bodies, is about to enter into a contract for the repaving of Market street, from Broad street to the Schuylkill river, with Belgian blocks, *at the expense of the City.*

We desire by this communication to call your attention to the fact, that it appears from an ordinance of Councils, approved July 7, 1857, entitled "An Ordinance to regulate passenger railways," that it has been the intention and policy of the City to require of the several passenger railway companies occupying the streets of this City, that they should pay for the repaving of the streets occupied by them respectively.

Section 3 of the ordinance referred to, provides that "all railroad companies as aforesaid shall be at the expense of maintaining, paving, repairing, and *repaving* that may be necessary, upon any road, street, avenue, or alley occupied by them;" and Section 4 provides a method of enforcing compliance with such direction. The right of the City to stop the running of cars on Spruce street until the railway company occupying that street should repair it, was sustained a few years since by the Court of Common Pleas No. 4, of this County.

The reasonableness of such an ordinance can hardly be disputed, in view of the fact that the companies referred to have acquired the valuable franchise of using the streets without compensation therefor to the municipality, or owners of adjoining properties.

This class of corporations has thus enjoyed an immunity from original cost and current expenditure, which other transportation companies, to which the right of eminent domain has been delegated, have never enjoyed.

It would seem therefore but reasonable and proper that the passenger railway companies should be held strictly to their responsibility under the ordinance before referred to.

Market street, between the points named above, is occupied by the West Philadelphia Passenger Railway Company, and we suggest and request, that before the contract for its repaving shall be made, or award signed, your honorable bodies will cause inquiry to be instituted as to whether or not that company is bound by the provisions of the ordinance mentioned, and if it is, that proper proceedings shall be taken, whereby the cost and expense of the contemplated repaving shall be borne by it.

Yours respectfully,

H. W. PITKIN,
J. T. AUDENRIED,
THEODORE JUSTICE,
Committee on "Paving and Cleaning Streets" of the Citizens' Executive Committee of One Hundred.

APPENDIX No. 64.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, May 19, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—I herewith enclose copies of recent correspondence between myself and the City Solicitor, to which I respectfully call your attention, relative to the responsibility of the West Philadelphia Passenger Railway Company for the repaving of Market street with Belgian blocks, as alleged in a communication received by me from the Chairman of the Committee on Streets, of the "Citizens' Committee of One Hundred."

Very respectfully,

WILLIAM BALDWIN,
Chief Commissioner of Highways.

Philadelphia, May 6, 1881.

WM. NELSON WEST, ESQ.,
City Solicitor.

DEAR SIR:—Councils by ordinance authorized the paving of Market street, from Merrick to Thirtieth streets, with Belgian blocks, and in accordance therewith I advertised for and received proposals, and awarded the contract to the lowest bidder, directing you to draw up the same. Since doing so, I have been waited on by a Mr. Pitkin, Chairman of a Sub-Committee of the Committee of One Hundred, and presented with a communication setting forth, that said Committee have consulted counsel, and are informed that by a clause in the charter of the West Philadelphia Passenger Railway Company, Councils can compel said railway company to do the above-mentioned work at their own expense, and will so petition Councils. As this is a question of grave importance, I would ask that before proceeding further in the matter of drawing the above-mentioned contract, you examine the subject, and let me know at the earliest possible moment whether the opinion advanced by the above-mentioned Committee is a correct one, and what action I shall take in the premises. Awaiting your reply, I remain,

Very respectfully,
WM. BALDWIN,
Chief Commissioner of Highways.

—

LAW DEPARTMENT.

Philadelphia, May 19, 1881.

WILLIAM BALDWIN, ESQ.,
Chief Commissioner of Highways.

MY DEAR SIR: I reply to your communication in relation to the paving of Market street with Belgian blocks, as follows:

Any obligation resting upon the West Philadelphia Passenger Railway to do the suggested paving at their own expense must arise from their charter.

The Act incorporating the West Philadelphia Passenger Railway was approved May 14, 1857 (*vide* P. L. 1858, p. 585), just previous to the passage of the ordinance of July 7, 1857, to which most subsequently incorporated street railways are specially made subject, by the express words of the Acts of Assembly, which incorporate them.

The Act of May 14, 1857 (incorporating the West Philadelphia Passenger Railway), contains these words upon the subject of the power of Councils over the Company, viz.: "*And said Councils may, from time to time, by ordinance, establish such regulations in regard to said railway, as may be required for the paving, repaving, grading, culverting, and laying of water and gas pipes in and along said streets, and to prevent obstructions thereon.*"

A very apparent reading of the above provision favorable to the company will appear at a glance. The clause is silent as to who shall pave, grade, etc., and the company no doubt would maintain that they were to be subject to such reasonable regulations of Councils as were necessary to enable the City to do such work. Much force is given to this reading, too, by the fact that no one has even suggested that this railway, or any other, was under any obligation to construct culverts, or to lay water or gas pipes in any street, and these are placed in the same connection in the Act with the words paving, repaving, etc., as will be seen by the above quoted provision.

The question of the power of Councils to compel the road to repave, does not, however, properly arise in an answer to your communication, and I have not carefully considered that subject, as I will if it shall be submitted to me by Councils; but it is apparent that whatever power they may possess, they have failed to exercise it in this particular case, while on the contrary, they have appropriated to your department forty-two thousand dollars to have the City do the very work about which you inquire.

Item 26 of your appropriation for the current year is in these words: "For removing tracks, grading, and paving with Belgian block pavement, Market street, from the Public Buildings to Thirtieth street, forty-two thousand (42,000) dollars, the contractor to receive the old material in part payment for said work: *Provided*, That the Pennsylvania

Railroad Company dedicate to the City their ground on the north side of Market street, east and west of the bridge: *Also provided*, That said work shall not be commenced until thirty days after the Pennsylvania Railroad Company shall have cut their connection with the City Railroad."

These provisos must be carefully regarded, since the appropriation is conditional upon their performance.

As the case now stands, if these provisos have been complied with, there is nothing for either you or I to do in the matter but to forward the wishes of Councils with due diligence by proceeding with the contract.

You have advertised, the contract has been awarded to the lowest bidder, and it would not be right to delay the performance of the contract.

If Councils should desire any other course, or an opinion as to their power in such a case, they can instruct us by a resolution at their meeting to-day. You had better forward our correspondence to them, so as to bring the question to their attention.

Yours, very truly,

WM. NELSON WEST,
City Solicitor.

APPENDIX No. 65.

RESOLUTION

To meet in Joint Convention to elect Port Wardens and Trustees of the Northern Liberties Gas Works.

Resolved by Common Council of the City of Philadelphia, That Select Council be, and is, hereby requested to meet Common Council in Joint Convention, in Common Council Chamber, at half-past four o'clock, this day, for the purpose of electing eight members of the Board of Port Wardens and one member for an unexpired term, also two Trustees of the Northern Liberties Gas Works and one for unexpired term.

APPENDIX No. 66.

County Prison.

Philadelphia, May 12, 1881.

To William H. Lex, Esq.,
President of Common Council.

Dear Sir:—At a stated meeting of the Board of Inspectors of the Philadelphia County Prison, held on the 9th day of May, 1881, the following communications were received:

To the Inspectors of the
Philadelphia County Prison.

Gentlemen:—At a meeting of the Board of Managers of the House of Correction, Employment, and Reformation, held this day, the enclosed report was adopted, tendering to your Board the said lot for the purpose of building the New County Prison.

Yours respectfully,

ROBERT LAUGHLIN,

May 2, 1881. *President.*

—

Under the same date the following was received:

To the Board of Managers
of House of Correction.

Gentlemen:—The undersigned, your Committee, to which was referred the matter of location of extension of County Prison would, after further conference with the Inspectors of same, recommend that the Board offer to them the northern and eastern end of the lot on the Dobbins' farm, situated between the railroad and the State road. This lot, commencing, as it does, 870 feet from the fence east of the quarry, and on the line of the State road, would, it is believed, leave the ground overlying the stone adjacent to the quarry, and in connection with it, free for future use.

With this we present a plan of the ground designated, and which would give, for the purpose named, a space inside of wall of twelve and one-third ($12\frac{1}{3}$) acres, with a small piece of irregular shape adjoining the northeastern wall.

Respectfully,

(Signed.) WM. A. DUFF, *Ch'n*,
WM. H. TAYLOR.

Whereupon the following resolutions were adopted:

Resolved, That the Board of Inspectors of the Philadelphia County Prison hereby accept the offer of the Board of Managers of the House of Correction, Employment, and Reformation for a site of a new prison as recited in the foregoing communication from Robert Laughlin, President, dated May 2, 1881, subject to the approval of the Select and Common Councils of the City of Philadelphia, as required by the terms of their ordinance, approved December 31, 1880.

Resolved, That a certified copy of the foregoing resolution be sent to the President of the Board of Managers of the House of Correction and to the Presidents of the Select and Common Councils of the City of Philadelphia, respectively.

CASPAR WISTER,
President Board of Inspectors.

EDMUND SMITH,
Secretary.

APPENDIX No. 67.

OFFICE OF THE BOARD OF HEALTH.

Philadelphia, May 17, 1881.

To City Councils.

GENTLEMEN:—The continued prevalence of small-pox since January 1, 1881, has necessitated a large expenditure of the moneys appropriated for the maintenance of the Municipal Hospital, so that *all* the items under this head have been drawn very low, and some of them entirely exhausted. To-

day there is not a dollar remaining for the purchase of medicines and medical supplies, for horse feed, fuel, lights, and for burial expenses, and for repairs to buildings and care of grounds. There are not five tons of coal in the building, and no money with which to purchase more. There are now in the hospital over one hundred patients suffering from smallpox, and the admissions are of daily occurrence. Unless a transfer, solicited weeks ago, be made at your next meeting, all further admissions will have to cease, and the patients in the hospital maintained by private funds, as humanity forbids that they should be turned out until recovered. Such a course of action will never be permitted by your honorable bodies when fully informed of the urgent necessity of the case; and this communication is addressed to you with *the full* assurance that being fully informed of the great importance of the subject, and of the extreme peril to the public health that will attend any further delay, you will promptly grant the relief imperatively needed and avert the serious consequences that must otherwise ensue.

By order of the Board of Health.

WILLIAM P. TROTH,
Chief Clerk.

APPENDIX No. 68.

RESOLUTION

Relative to the adjournment of Councils.

Resolved by the Select and Common Councils of the City of Philadelphia, That when these Councils adjourn on Thursday, June 16, 1881, it be until Thursday, September 1, 1881, and that the intermediate meetings of Councils be, and are, hereby dispensed with.

APPENDIX No. 69.

RESOLUTION

Of request to the City Solicitor, relative to municipal claims.

Resolved by the Select and Common Councils of the City of Philadelphia, That the City Solicitor be requested to transmit to this body, at an early date, a schedule of all municipal claims for which receipts have been produced to the Law Department, showing payment of such claims to have been made during former administrations, without satisfaction having been entered in pursuance thereof; such schedule to contain the term and number of the claim, description of the property, the amount, the name of the party signing such receipts, and such other information as he may deem needful to aid in determining whether the City has been defrauded of any such claims, and if so, who is responsible therefor.

APPENDIX No. 70.

RESOLUTION

Of instruction to the Chief Commissioner of Highways to notify the Twelfth and Sixteenth Streets Passenger Railway Company to repair streets in the Twenty-sixth Ward.

WHEREAS, The streets in the Twenty-sixth Ward, through which the Twelfth and Sixteenth Streets City Passenger Railroad pass are in a very dilapidated condition, and are badly in need of repair; therefore

Resolved by the Select and Common Councils of the City of Philadelphia, That the Chief Commissioner of Highways be instructed to notify said company to repair the same within ten days from the passage of this resolution, and in default thereof to proceed immediately thereafter to perform the same at the expense of said company.

APPENDIX No. 71.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that that they have considered a resolution of request to the Committee on Finance to make an appropriation for lighting Chestnut street with electric lights, presented to Councils and referred to this Committee by direction of the Committee on Police, and being informed that the sum of five thousand dollars in the annual appropriation to the Department of Police for the year 1878, Item 36, and made a special appropriation, will not be used for the purpose for which it was appropriated, the Committee are of opinion that it had better be used for the said lighting; they therefore submit the annexed ordinance to appropriate the said amount for the purpose above mentioned, and recommend its passage.

HENRY CLAY, *Ch'n*,	CHAS. F. ISEMINGER,
JOHN MCCULLOUGH,	JOHN SHEGOG,
F. HALTERMAN,	OLIVER PARKER,
WALTER E. REX,	DAVID WALLACE,
J. DALLAS HALL,	JOHN W. PATTON,
A. A. CATANACH,	S. S. HOLLINGSWORTH,

THOMAS GREEN. for report.

AN ORDINANCE

To provide for lighting Chestnut street, from the Delaware to the Schuylkill River, with electric lights.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of five thousand (5,000) dollars in Item 36 of the annual appropriation to the Department of Police for the year 1879, which is a special appropriation for the relief of incapacitated members of the Police Department, be, and the same is, hereby appropriated for lighting Chestnut street, from the Delaware to the Schuylkill River, with electric lights, any ordinance to the contrary hereof notwithstanding.

APPENDIX No. 72.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance taking possession of the property in the custody of the Trustees of the Philadelphia Gas Works, and having referred the same to a Sub-Committee, in accordance with the report of said Committee, submit the annexed ordinance to take possession of the Philadelphia Gas Works, and recommend its passage.

HENRY CLAY, *Ch'n*,
THOS. M. HAMMETT,
J. DALLAS HALL,
GEORGE R. SNOWDEN,
W. S. REYBURN,
J. W. PATTON,
S. S. HOLLINGSWORTH,
JOHN MCCULLOUGH,
WALTER E. REX,
OLIVER PARKER,
JOHN C. BICKEL,
F. HALTERMAN,
S. C. COLLINS,
A. A. CATANACH,
CHAS. F. ISEMINGER.

—

Philadelphia, May 19, 1881.

To Finance Committee.

GENTLEMEN:—The Sub-Committee, to whom was referred the ordinance in regard to taking possession of the Gas Works, make the following report:

The Committee met, and consulted with the City Solicitor and Commissioners of the Sinking Fund. After such consultation and in view of the opinion of the City Solicitor, the Committee recommend that the annexed ordinance be reported favorably.

The opinion of the City Solicitor is appended hereto.

S. S. HOLLINGSWORTH, THOS. GREEN,
WALTER E. REX.

To the Chairman and Members of the Sub-Committee of
Finance on taking possession of the Philadelphia Gas Works.

GENTLEMEN:—At your recent meeting at the Law Department you requested my opinion in writing upon the following questions:

First. In view of the fact that only $177,000 of the loan authorized by ordinance of July 13, 1855, commonly known as Loan 9, is outstanding in the hands of general holders, whether it is not possible for Councils to make an appropriation covering the amount of the principal of the said outstanding loan and interest thereon to the date of its maturity, and thereby take up the said Loan No. 9, and assume control of the Gas Works, and whether Councils would have a right to offer a premium, in addition to principal and interest as aforesaid, as an inducement to the loan-holders to accept payment before maturity?

Second. Whether a new loan can be created and offered in exchange for so much of Loan No. 9 as is now outstanding, without violating the restriction imposed by law upon the increase of the debt of the corporation?

Third. Whether the certificates of other loans held by the Commissioners of the Sinking Fund can be employed to take up the outstanding Loan No. 9?

Before making a specific reply to these queries, I think it will conduce to a clearer understanding to review the legislation with reference to gas loans and the Sinking Fund, so far, at least, as bears upon the present subject.

The various loans for the extension of the Gas Works, from No. 1 to No. 8, inclusive, have matured and been paid. The earliest of the loans at present outstanding is the loan above referred to as No. 9, created by ordinance passed July 13, 1855, to the amount of $500,000, to mature July 1, 1885. By the fourth section of this ordinance it is provided that the said Trustees shall, on or before the 31st day of December and the 30th day of June in every year, until the said loan is paid, retain out of the receipts for the sale of gas and other products of the said Gas Works the sum of four per centum on the amount of said loan, for which certificates may have been issued; of which they shall pay three per cent. to

the City Treasurer, who shall apply the same to the payment of the interest on the said loan as the same may fall due, and to no other purpose whatever, and the remaining one per centum the said Trustees shall place to the credit of and invest in Sinking Fund, which fund and its accumulations are hereby specifically pledged to the repayment of said loan.

Of this Loan No. 9, I am informed by Mr. Stroup that there is at present outstanding in the hands of general holders, the amount of $177,600. In the next succeeding loan, No. 10, authorized by ordinance of March 26, 1859, to the amount of $500,000, maturing on July 1, 1883, the provision in regard to the Sinking Fund is changed; the 3d section of the ordinance provides:

"That the said Trustees shall, on or before the 31st day of December and the 30th of June, in every year, until the said loan is paid, retain out of their receipts for the sale of gas and other products of the said Gas Works, the sum of 4 percentum on the amount of said loan, for which certificates may have been issued, which they shall pay to the City Treasurer, who shall apply 3 per centum thereof to the payment of the interest on the said loan as the same may fall due, and to no other purpose whatever; and the remaining 1 percentum shall be paid over by the said Treasurer to the Commissioners of the Sinking Fund, who shall invest the same and its accumulations in the loans of the said Gas Works, or in the other loans of the City of Philadelphia, as a Sinking Fund, which is hereby specifically pledged to the payment of said loan, and any surplus remaining after the payment of said loan shall be applied by the Commissioners of the Sinking Fund towards the extinguishment of the other loans to the said Gas Works, if any, otherwise of the funded debt of the City of Philadelphia."

Of this Loan No. 10 there is at present outstanding in the hands of general holders the amount of $117,400.

The two loans, Nos. 11 and 12, next subsequent to this, contain practically the same provisions. No. 11 was created by ordinance of October 2, 1860, for $500,000, to mature July 1, 1884, and there is at present outstanding, in the hands of general holders, $149,700 of this loan.

No. 12 was created by ordinance of December 22, 1864, for $1,000,000, to mature July 1, 1884, and the amount of the same now outstanding in the hands of general holders is $54,900.

It will be noticed that Loan No. 9, though created by the earliest of these ordinances, is the latest to mature.

In the next succeeding loan, No. 13, authorized by ordinance of December 26, 1868 (Ordinances, p. 543), for $1,000,000, to mature January 1, 1899, a remarkable change takes place. The fourth section of the ordinance is in these words:

"That the terms and provisions of the ordinance entitled 'An Ordinance for the further extension and management of the Philadelphia Gas Works, approved June 17, 1841,' shall not apply in any way or manner to this loan, and that nothing contained in this ordinance shall interfere with or obstruct the City of Philadelphia in taking possession of said Gas Works whenever the Councils of the said City may, by ordinance, determine to do so."

This provision is not contained in any of the previous ordinances. It was inserted to avoid the effect of the opinion of the Supreme Court of this State, delivered in the case of the Western Saving Fund Society *vs.* The City of Philadelphia and others, reported in 7 Casey, p. 185 (see also Id. *vs.* Id., p. 175 of same volume), which was a suit in equity brought to restrain the defendants from interfering with the management of the Philadelphia Gas Works under the authority of an Act of the Legislature, which provided for the election of six additional Trustees of the Gas Works. The Court, in delivering the opinion, said that the provisions of the ordinance of June 17, 1841, lay at the bottom of the case, and proceeded as follows:

The third section of the ordinance is in these words: "That, for the further security of said loanholders, it is hereby stipulated that the said works shall be controlled and managed by a Board of Trustees, elected and constituted as heretofore, who shall have the control and management of the said works, and of the said Sinking Fund, and of all other funds belonging to the said works; and the said Trustees shall pay no part of the said funds nor any part of the profits of said works into the City Treasury, but shall apply and appropriate the same as is directed by this ordinance, until the interest and principal of said loans shall be fully paid, as they become due, to the said loanholders." The provisions of the ordinance necessarily became a part of the contract with each

loanholder, without which it must be assumed he would not have advanced his money, nor did they enure exclusively to the benefit of the holders of that loan. They were stipulated to be for the "further security of all loans contracted, or that might thereafter be contracted." Whatever may be said about the rights of antecedent loanholders, it is clear that all holders of the loan of June 17, 1841, or of loans subsequently negotiated, are entitled to the benefit of all the provisions of this ordinance, which were intended for their security, unless in the case of loans subsequently made, the lenders were deprived of these benefits by some new stipulation which necessarily excluded them from the advantages which the ordinance of June 17, 1841, was designed to give to them. We find no such stipulation in any of the subsequent ordinances authorizing loans.

Our view also corresponds with that which was taken by this Court in another case between the same plaintiffs and the City of Philadelphia, in January, 1855. That, it is true, was a bill filed against the City to prevent its taking the property entirely out of the hands of the Trustees, but it directly involved the rights of the loanholders under the third section of the ordinance of July 17, 1841. The language used by this Court at that time was the following: "By the contract with the loanholders the City has placed the works and their income in the hands of Trustees as a security for the loans. The loans subsequent to that Act were contracted on the faith of that pledge. The City has no more right to disturb the security than a mortgagor would have to demand a reconveyance without payment of the mortgage debt. To say that the City does not mean to disturb the security is nothing to the purpose. The contract designates the manner in which the Trustees are to be appointed. By that system they are placed on a permanent footing, and are effectually guarded against the changes and consequent mismanagement which might flow from the impulsive action of political parties. This arrangement was a very material consideration with those who advanced their money on the faith of it, and the City has no right to change the Trustees in any other mode than that prescribed by the contract.

This is precisely the view of the contract which we take now. And such being the obligation which the City as-

sumed, no legislation can authorize a change in the election or constitution of the Board of Trustees.

In accordance with this decision, it must be held that Loans Nos. 10. 11, and 12 are subject to the provisions of the ordinance of June 17, 1841, excepting as regards the holding of the Sinking Funds, which duty is, by those ordinances, transferred to the Commissioners of the Sinking Funds; and the placing of the works and their income in the hands of trustees is a part of the security and pledge on the faith of which these loans were contracted.

Loan No. 13, as already shown, and all subsequent loans to No. 16, inclusive, are, by their terms, expressly exempt from the provisions of the ordinance of June 17, 1841.

All of the loans aforesaid were issued upon express condition that they shall be paid at the time of maturity, and not before, without the consent of the holders thereof.

It is therefore apparent that before anything whatever can be done in the matter of assuming the management of the Gas Works and determining the present Trust, the consent of the holders of Loans 9, 10, 11, and 12, now outstanding, must first be obtained. It is equally manifest that, while this consent may be won by the offer of proper inducements, it cannot be compelled, and it is quite possible that some of the holders of these loans may prefer to retain their present security rather than exchange it for others or even for the principal and interest of the debt to the date of its maturity. The refusal of any of these outstanding holders defeats the measure as effectually as the refusal of all.

But if the offer of principal, interest to date of maturity, and a premium will win the consent of all the holders of the said four loans outstanding, I have no doubt of the power of Councils to make an appropriation to pay off the said loans, provided use is made of the unexpended balances of receipts over expenditures for the year 1880; otherwise, as I am informed that Councils have exhausted the moneys at their disposal for the current year, nothing can be done until the moneys for the year 1882 are ready for disposal.

I therefore answer the first question in the affirmative. Councils may appropriate out of such of the City's moneys as are not disposed of principal and interest to date of maturity, and even a premium in addition, for the purpose

of taking up the outstanding loans Nos. 9, 10, 11, and 12; and when the said loans are all taken up, but not before, may assume full control of the Philadelphia Gas Works.

The constitutional restriction upon the increase of indebtedness of municipal corporations is contained in the Constitution of 1874, Article IX., Section 8, which is in these words:

"The debt of any county, city, borough, township, school district, or other municipality or incorporated district, except as herein provided, shall never exceed seven per centum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property, without the assent of the electors thereof at a public election in such manner as shall be provided by law; but any city, the debt of which now exceeds seven per centum of such assessed valuation, may be authorized by law to increase the same three per centum, in the aggregate, at any one time, upon such valuation."

The Legislature, under the authority of this section, by Act of April 20, 1874, provided as follows:

"That whenever the debt of any county, city, borough, township, school district, or other municipality or incorporated district within this Commonwealth, shall be equal to seven per centum upon the assessed value of the taxable property, as fixed by the last preceding assessed valuation therein, it shall be unlawful to increase the same, and all such increase shall be void, and any obligation issued for such increase, or any part thereof, shall be of no binding force upon such municipality or district; and each of the officers thereof wilfully authorizing such increase or executing any obligation therefor, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $10,000, and undergo an imprisonment not exceeding one year, or either, at the discretion of the Court trying the same: *Provided*, That any city, the debt of which now exceeds seven per centum of such assessed valuation, may, under authority of law to be hereafter enacted, increase the same three per centum in the aggregate at any one time upon such valuation."

And it was thereafter enacted by the Act of Assembly of May 23, 1874, in relation to the increase of the debt of the City of Philadelphia, as follows:

"The Councils of any city of the first class, the debt of which now exceeds seven per centum upon the assessed value of the taxable property therein, shall be, and they are, hereby authorized to increase the said debt one per centum upon such valuation: *Provided*, That no money shall hereafter be borrowed on the faith and credit of said cities, unless the ordinance or other authority authorizing the same shall have been introduced at one stated meeting of the Common Council, and the draft thereof published in at least two of the newspapers of the City, daily, four weeks before the final consideration and passage thereof by the said Common Council; and at any stated meeting of the Select Council, held at least one week after the final consideration of any such ordinance by the Common Council, the Select Council may consider and act upon any such ordinance; but the Select Council shall not originate any ordinance or other authority for borrowing money; and no loan shall be authorized without a vote of two-thirds of the whole number of members of each Council: *And provided also*, That the specific purpose or purposes for which the said loan is authorized shall be distinctly set forth in the said ordinance, and that the moneys received for said loan shall not be used for any purpose other than those so stated: *And provided further*, That the said City shall, at or before the time of authorizing the said loan, provide for the collection of an annual tax, sufficient to pay the interest and also the principal of the said loan within thirty years."

As these provisions only refer to an increase of indebtedness, and as the substitution of one debt for another of equal extent cannot be considered as such an increase, I should have no difficulty in replying affirmatively to the second query, were it not for the doubt thrown upon the right of Councils to make such substitution before the maturity of the loan about to be taken up, by the seventh section of the Act of April 20, 1874, which is in these words:

"That the existing indebtedness of any such municipality, evidenced by outstanding bonds or certificates of indebtedness heretofore issued, may be provided for, as the same shall

mature, by a reissue of bonds or certificates of indebtedness to the holders of said outstanding bonds or certificates, or by the issue and sale, at not less than par, of new bonds or certificates, and the present floating indebtedness of any such municipality may be funded by the issue and sale, at not less than par, of bonds or certificates of indebtedness in sums not less than $100 each: *Provided*, That no such bonds or certificates shall be issued for a longer period than thirty years from the date thereof; and it shall be the duty of the proper corporate authorities of such municipality to provide for the payment of principal and interest of all such bonds, in the manner pointed out in the fourth section of this Act."

Legislation to confer an authority would seem to imply its non-existence prior to such legislation. It, therefore, might be inferred that prior to the Act cited Councils did not possess the power of substituting one loan for another, and that their present powers in that regard are limited to the substitution at the specified time only; that is, at the time of the maturity of the old loan.

While, therefore, I do not consider the question free from doubts, yet as the spirit of the legislation is simply to prevent the increase of the corporate debt beyond the limit fixed by law, I incline to the opinion that a loan made solely for the purpose of substitution for so much of Gas Loan No. 9 as is now outstanding, and bearing on the face of its certificates the evidence that it is intended for that purpose only, would not be in violation of the above-mentioned restrictions; and therefore answer the second question affirmatively, with the foregoing qualifications.

The power of Councils as to the change of the investments in the Sinking Funds is at present defined and limited by the Act of May 13, 1857 (P. L., p. 487), which directs, "That the investments which now or hereafter may form a part of the Sinking Fund of said city shall not be sold except for money, nor *exchanged* except for the loan of the said city; and in case of such sale or exchange the proceeds thereof shall be applied exclusively to the Sinking Fund of said city or to the extinguishment of its funded debt."

I have no doubt of the power of Councils to direct the exchange of their investments in a proper case.

But it must be remembered that the Sinking Fund Commissioners are trustees, representing not only the City, but

also, and primarily, the City's creditors, and they would be bound to act according to sound business principles and with fidelity to the interests of those whom they represent.

They, therefore, would be bound to make no change of investment that would either diminish the principal or the income of any of the Sinking Funds in their control, because that would be to reduce the security pledged for the repayment of the corresponding loan. Therefore they cannot offer inducements to the holders of Loan 9 by way of premiums, or even of later maturity of debts, because, by the first, they would reduce the principal of the Sinking Fund, and by the last, its income; and it must be remembered that under the present arrangement, the investments required to be made by law to each Sinking Fund, with their accumulations, are barely sufficient to discharge the corresponding debt secured by such Sinking Fund in the time prescribed by law.

In view of this practical difficulty, therefore, the mere question of the right of transfer of loans held by the Sinking Fund Commissioners seems to become of no importance.

I am, with great respect,

Your obedient servant,

WM. NELSON WEST,

City Solicitor.

AN ORDINANCE

Taking possession of the Philadelphia Gas Works, for the use of the City, and providing for the care and management thereof.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor be, and is, hereby authorized and directed to take possession of the Philadelphia Gas Works, comprising all the buildings for the manufacture and sale of gas, and all the mains, services, and gas holders belonging thereto, and also all the materials on hand and apparatus for the manufacture, purification, storage, distribution, and sale of gas, the stock of gas on hand, the proceeds of the gas consumed but unsettled for, and the outstanding bills due to the said Gas Works, together with the books of account relating thereto, for the use and benefit of the City; and immediately upon taking possession as aforesaid, the Trustees of the said Philadelphia Gas Works shall

make a detailed report to Councils of the property, real and personal, so taken possession of by the Mayor, signed by the President of the Board of Trustees.

SECT. 2. It shall be the duty of the Mayor to notify Select and Common Councils immediately upon taking possession of the property of the Gas Works, and the Select and Common Councils shall, at the next meeting of Councils after such notice, and annually thereafter on the second Thursday in February, and whenever a vacancy shall occur, by death, resignation, or otherwise, elect by *viva voce* vote, in joint meeting, a Chief-Engineer of the Gas Works; he shall hold his office until his successor shall be chosen at the annual time fixed therefor, unless sooner removed by Councils.

SECT. 3. The head of this Department shall be called the Chief-Engineer of the Philadelphia Gas Works; he shall have charge and care of the Gas Works, including all the property, etc., mentioned and set forth in the first section; he shall exercise general control and oversight over all the officers and employees connected therewith, and assign and direct their duties, so as to carry on the details of the Works. He shall attend to the direction of all new Works, now or hereafter to be constructed: *Provided*, That he shall not increase the number of officers now employed without the authority of Councils.

SECT. 4. The officers necessary to carry on the Works shall be nominated by the Chief-Engineer, by and with the advice and consent of the Select Council, and shall be removed at the pleasure of the party nominating, and upon such removal, or vacancy occurring by death, resignation, or otherwise, a nomination shall be made to supply such vacancy, as in the case of an original appointment.

SECT. 5. It shall be the duty of the Cashier to perform such duties as are now required of him, and in addition thereto shall make return, in writing, under oath or affirmation, of the amounts collected, to the City Controller, and pay over the same to the City Treasurer daily; he shall give bond, with two or more sureties, for the faithful performance of his duties, in the sum of dollars, to be approved by Councils.

SECT. 6. The Sinking Fund of the Gas Trust shall be transferred unto the Sinking Fund of the City of Philadelphia, and all the bonds, stock, securities, etc., now held by them to secure the payment of all Gas Loans.

SECT. 7. It shall be the duty of the City Treasurer to keep the funds and money belonging to the Gas Department separate and distinct from all other funds in his hands, to more effectually secure the prompt payment of the loans of the said Gas Works.

SECT. 8. Warrants for the payment of labor shall be drawn by the Cashier upon pay-rolls approved by the Chief-Engineer; and all other warrants shall be drawn by the Chief-Engineer.

SECT. 9. All ordinances or parts of ordinances inconsistent herewith be, and the same are, hereby repealed.

Provided, That this Ordinance shall not take effect until the City of Philadelphia shall have obtained possession or control of Gas Loans Nos. 9, 10, 11, and 12, or until there is deposited with the City Treasurer a sum of money equal to the principal of the said several loans outstanding and interest on the same up to the time when they respectively mature, payable on demand to the holders of any of said loans upon the surrender of a certificate or certificates of said loans.

APPENDIX No. 73.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered a communication from the Board of Fire Commissioners for an additional appropriation for building new Station-house No. 14, and having referred the same to a Sub-Committee, and for the reasons contained in their report hereto appended, submit the annexed ordinance

to make certain transfers for said purpose, and recommend its passage.

HENRY CLAY, *Ch'n*,	THOS. GREEN,
JOHN McCULLOUGH,	THOS. M. HAMMETT,
WALTER E. REX,	JOHN BARDSLEY,
S. C. COLLINS,	J. DALLAS HALL,
OLIVER PARKER,	JAS. R. GATES,
JOHN C. BICKEL,	F. HALTERMAN,
W. S. REYBURN,	G. W. BUMM.

—

Philadelphia, May 19, 1881.

To the Chairman and Members of the
Committee on Finance.

GENTLEMEN:—Your Sub-Committee, to whom was referred the communication of Jacob Laudenslager, President of the Board of Commissioners of the Fire Department, calling attention to the fact that the proposals for building new house for Station 14, Frankford, were in excess of the sum appropriated for that purpose, respectfully report that they have considered the same, and have succeeded in securing transfers from the annual appropriation to the Fire Department for 1879, and from the annual appropriation to the City Commissioners for 1881, for the purpose indicated. They, therefore, recommend the reporting of the annexed bill to Councils with an affirmative recommendation, any ordinances to the contrary hereof notwithstanding.

THOS. GREEN, *Ch'n*, THOS. M. HAMMETT,
J. DALLAS HALL.

—

AN ORDINANCE

To make certain transfers from the annual appropriations to the Fire Department for 1879, and the City Commissioners for 1881, to the annual appropriation to the Fire Department for 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be, and he

is, hereby directed to transfer from "Item 33, to pay members of the Fire Department unfitted for service, by reason of sickness contracted or injuries received whilst in the discharge of their duties, the sum of two thousand (2,000) dollars" of the annual appropriation to the Board of Fire Commissioners for the year 1879, approved December 31, 1878; five hundred (500) dollars of "Item 5, to pay jurors of the Court of Common Pleas, No. 1;" five hundred (500) dollars of "Item 7, to pay jurors of the Court of Common Pleas, No. 3," and five hundred (500) dollars of "Item 8, to pay jurors of the Court of Common Pleas, No. 4," of the annual appropriation to the City Commissioners for the year 1881, approved December 21, 1880; total, three thousand five hundred (3,500) dollars; to "Item 33, for rebuilding Station No. 14, Frankford, of the annual appropriation to the Board of Fire Commissioners for the year 1881."

APPENDIX No. 74.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered a communication from the Chief Commissioner of Highways in relation to repairs to South street bridge, and submit the annexed ordinance to provide for the repairing of the bridge, and recommend its passage.

HENRY CLAY, *Ch'n*,	CHAS. F. ISEMINGER,
JOHN MCCULLOUGH,	JOHN SHEGOG,
JOHN A. HOUSEMAN,	F. HALTERMAN,
OLIVER PARKER,	JOHN BARDSLEY,
WALTER E. REX,	JAMES R. GATES,
DAVID WALLACE,	J. DALLAS HALL,
J. W. PATTON,	A. A. CATANACH,

S. S. HOLLINGSWORTH.

AN ORDINANCE

To authorize repairs to be made to the South Street Bridge.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That permission be, and is, hereby granted to the Lombard and South Streets Passenger Railway Company to repair the South street bridge, under and subject to the direction and approval of the Chief Commissioner of Highways and the Chief-Engineer and Surveyor: *Provided,* The said repairs shall be made without any expense to the City, nor shall any liability be incurred by the said City, either directly or indirectly.

APPENDIX No. 75.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered a communication from the Commissioners of Fairmount Park for a transfer of $100 from Item 8 to Item 5 in their annual appropriation, and submit the annexed ordinance to authorize the transfer requested, and recommend its passage.

HENRY CLAY, *Ch'n,*	CHAS. F. ISEMINGER,
JOHN MCCULLOUGH,	JNO. A. HOUSEMAN,
JOHN SHEGOG,	F. HALTERMAN,
OLIVER PARKER,	WALTER E. REX,
JAMES R. GATES,	DAVID WALLACE,
J. DALLAS HALL,	THOS. GREEN,
J. W. PATTON,	A. A. CATANACH,

S. S. HOLLINGSWORTH.

AN ORDINANCE

To authorize a certain transfer in the annual appropriation to the Commissioners of Fairmount Park, for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be authorized and directed to make the following transfer in the annual appropriation to the Commissioners of Fairmount Park, for the year 1881, viz:

From Item 8, "For developing and fitting up more springs for drinking and watering purposes," one hundred dollars, to Item 5 "For new stone bridge upon Agricultural avenue over small stream."

APPENDIX No. 76.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered resolution of request to the Chairman of the Finance Committee to draw up an Ordinance to relieve those taxpayers who have been defrauded by the Assistant Deputy Receiver of Taxes, and submit the annexed ordinance to provide for said relief, and recommend its passage.

HENRY CLAY, *Ch'n*,
CHAS. F. ISEMINGER,
JOHN MCCULLOUGH,
JOHN SHEGOG,
JNO. A. HOUSEMAN,
J. HALTERMAN,
OLIVER PARKER,
WALTER E. REX,
JAS. R. GATES,
DAVID WALLACE,
J. DALLAS HALL,
THOMAS GREEN,
J. W. PATTON,
A. A. CATANACH,
S. S. HOLLINGSWORTH.

AN ORDINANCE

To provide relief to the taxpayers who have been defrauded by the late Assistant Deputy Receiver of Taxes.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the collection of the penalties and charges of the City of Philadelphia against the taxpayers in the Twenty-second Ward, who have been defrauded by the embezzlement of late Assistant Deputy Receiver W. J. Whartenby, be, and the same is, hereby suspended until their cases are decided by the Court.

APPENDIX No. 77.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize the City Solicitor to mark satisfied of record one of two bonds given by John Zeh, principal, and Thomas McLaughlin, surety, for five hundred dollars, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n,*	JAMES R. GATES,
CHARLES F. ISEMINGER,	DAVID WALLACE,
JOHN MCCULLOUGH,	J. DALLAS HALL,
JOHN SHEGOG,	S. C. COLLINS,
JOHN A. HOUSEMAN,	THOMAS GREEN,
F. HALTERMAN,	J. W. PATTON,
OLIVER PARKER,	A. A. CATANACH,
WALTER E. REX,	S. S. HOLLINGSWORTH.

AN ORDINANCE

To authorize the City Solicitor to mark satisfied of record one of two bonds given by John Zeh, principal, and Thomas McLaughlin, surety, for five hundred dollars.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Solicitor is hereby authorized and directed to mark satisfied of record one of the

two judgments entered on two bonds given by John Zeh, principal, and Thomas McLaughlin, surety, for five hundred dollars each to the City of Philadelphia, as of Court of Common Pleas of the City and County of Philadelphia, No. 2, of December Term, 1881, being respectively numbered 590 and 591, which said judgments were so entered of record by reason of the said John Zeh not being able to make good his bids.

APPENDIX No. 78.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to amend an ordinance entitled "An Ordinance to make an appropriation to the Department of Highways, Bridges, and Sewers, for the year 1881," approved December 31, 1880, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	CHAS. F. ISEMINGER,
JOHN MCCULLOUGH,	JOHN SHEGOG,
JOHN A. HOUSEMAN,	F. HALTERMAN,
OLIVER PARKER,	WALTER E. REX,
JAMES R. GATES,	DAVID WALLACE,
J. DALLAS HALL,	THOS. GREEN,
JOHN W. PATTON,	A. A. CATANACH,

S. S. HOLLINGSWORTH.

AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Department of Highways, Bridges, and Sewers, for the year 1881," approved December 31, 1880.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That "Item 27, for grading and macadamizing Weccacoe avenue, from Swanson street to the Delaware river, the work to be done by the inmates of the

House of Correction, three thousand five hundred (3,500) dollars," in the ordinance entitled "An Ordinance to make an appropriation to the Department of Highways, Bridges, and Sewers for the year 1881," approved December 31, 1880, be so amended that it shall read " Item 27, for grading Weccacoe avenue, from Swanson street to the Delaware river, three thousand five hundred (3,500) dollars.

APPENDIX No. 79.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered a communication from the Board of Health in relation to change in the ordinance making an appropriation to the Board of Health for the year 1881, so far as the same relates to street cleaning and collection of garbage, and submit the annexed ordinance to make the change, and recommend its passage.

HENRY CLAY, *Ch'n*,	JAS. R. GATES,
CHAS. F. ISEMINGER,	DAVID WALLACE,
JOHN MCCULLOUGH,	J. DALLAS HALL,
JOHN SHEGOG,	THOS. GREEN,
JOHN A. HOUSEMAN,	J. W. PATTON,
F. HALTERMAN,	A. A. CATANACH,
OLIVER PARKER,	S. S. HOLLINGSWORTH,

WALTER E. REX.

AN ORDINANCE

To amend an ordinance entitled "An Ordinance to make an appropriation to the Board of Health for the year 1881," Items 46 and 49, relating to street cleaning.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the ordinance entitled "An Ordinance to make an appropriation to the Board of Health for the year 1881," approved December 31, 1880, be, and the same is, hereby amended by striking out the names of the contractors in Items 46 and 49, so as to leave the amounts appropriated in the name of the districts severally.

APPENDIX No. 80.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance for the construction of a sewer across Fiftieth street, at Vine street, in the Twenty-fourth Ward (see Appendix No. 20, page 31); an ordinance for the extension of Hart Creek sewer, in the Twenty-fifth Ward, and a petition for the extension of the sewer over the West Cohocksink sewer, in the Twenty-eighth Ward, and having referred the same to a Sub-Committee, for the reasons contained in the report of the Sub-Committee hereto appended, report the ordinance for a sewer across Fiftieth street, at Vine street, back favorably, and submit the annexed ordinance to authorize the construction of the extension of West Cohocksink main sewer, and recommend their passage.

HENRY CLAY, *Ch'n*,
THOS. GREEN,
WALTER E. REX,
S. C. COLLINS,
W. S. REYBURN,
OLIVER PARKER,
JAS. R. GATES,
JOHN MCCULLOUGH,
THOS. M. HAMMETT,
JOHN BARDSLEY,
J. DALLAS HALL,
F. HALTERMAN,
GEORGE R. SNOWDEN,
JOHN C. BICKEL,
G. W. BUMM.

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To the Committee on Finance.

GENTLEMEN:—Your Sub-Committee, to whom were referred the following ordinances and petition viz.: An Ordinance for the construction of a sewer across Fiftieth street, at Oregon street, in the Twenty-fourth Ward; an Ordinance for the extension of Hart Creek sewer, in the Twenty-fifth Ward; and a petition for the extension of the sewer over the West Cohocksink Creek, in the Twenty-eighth Ward, accompanied by an estimate of its cost from the Survey Department, beg leave to report that, in pursuance of the object of

their appointment, they visited the above-mentioned localities, and fully examined into the necessities of each case, and, in arriving at their conclusions, they have endeavored to look at the actual needs of the locality from a sanitary point of view first, and then from the standpoint of progress in building operations.

Your Committee are of the opinion that the West Cohocksink Creek, in its present condition from the terminus of the sewer at Twenty-sixth and Susquehanna streets to the railroad crossing at Herman street, is a nuisance and very detrimental to the health of that portion of the City, and for that reason alone there should be an appropriation made to continue the sewer as far as the railroad. Besides this, however, it prevents the extension of streets and the improvement of that portion of the City which has grown all around this locality.

The sewer for the Mill Creek at Fiftieth and Oregon streets, in the Twenty-fourth Ward, is also a necessity; the streets have been graded up to the brink of the ravine through which the creek runs, and houses are built to the very edge, and the progress of building and improvement is barred by the present condition of the creek.

Your Committee examined the Hart Creek sewer at Indiana and Leamy streets, and also at Fifth and Clearfield streets; and, while they admit that if there was money enough to continue the sewer at either point it should be done, yet they do not find the same pressing necessity for the extension as at the two places first named. At Indiana and Leamy streets there is but one street opened to the creek, and beyond all is farm land, with no present signs of improvement, and there does not appear to be any sanitary necessity for the large expenditure of money asked for. It is true, the creek when high washes out the bank and damages the retaining wall, but this is slight, and the wall must be removed when the sewer is continued.

At Fifth and Clearfield streets there is greater necessity for the sewer than at Indiana and Leamy streets, but even here the neighboring ground is so low that buildings will not be located there for a long time.

Your Committee therefore recommend an appropriation of $12,000 for the continuation of the West Cohocksink Creek

sewer, and $7,000 for the sewer across Fiftieth street, at Oregon street.

Walter E. Rex, *Ch'n*,	F. Halterman,
Thos. Green,	J. Dallas Hall,
John Bardsley,	A. A. Catanach.

AN ORDINANCE

To authorize the extension of the West Cohocksink sewer, in the Twenty-eighth Ward.

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways is hereby authorized and directed to enter into a contract with competent mechanics for the extension of the West Cohocksink sewer from the terminus of the sewer at Twenty-sixth street and Susquehanna avenue, to the railroad, in the Twenty-eighth Ward.

Sect. 2. That it shall be the duty of the Chief-Engineer and Surveyor to prepare plans and specifications for said sewer, and that the contract entered into for the construction thereof shall be in accordance with such plans and specifications.

Sect. 3. That before entering into the said contract, the Chief Commissioner of Highways shall cause advertisements to be made for sealed proposals for the construction of the sewer at a specific sum per lineal foot; that the total cost of said sewer shall not exceed the estimates of the Chief-Engineer and Surveyor for the work to be done, and that the contract therefor shall be awarded by him to the lowest and best bidder, who shall agree to keep said sewer and street in repair for three years after its completion; and no contract therefor shall be binding on the City of Philadelphia, until the same shall have been authorized by these Councils.

Sect. 4. That no proposal for the construction of the said sewer shall be considered by the said Chief Commissioner of Highways, unless accompanied by an engagement in writing from two or more sufficient sureties, guaranteeing the faithful execution of the contract in case such proposal be accepted.

SECT. 5. That as the work of said sewer shall progress, there shall be assessed and charged upon the properties in front of which the same shall be completed, the sum of one (1) dollar and fifty (50) cents for each lineal foot of the front of the said properties.

SECT. 6. That it shall be a condition of such contract that the contractor shall accept the sums so assessed and charged under the foregoing section of this ordinance in part payment of his contract price, and that he shall collect the same at his own cost; and the better to enable him so to do, he may use the name of the City of Philadelphia, and employ all legal remedies or proceedings, whether of lien or otherwise, to which the said City may be competent.

SECT. 7. That payments may be made while the work of constructing the sewer is in progress, by the Chief Commissioner of Highways, in warrants upon the City Treasurer, charged to Item 24 of the appropriation to the Department of Highways for the year 1881, said payments in all cases to be made upon certificate of the Chief-Engineer and Surveyor, estimating the amount of work done: *Provided*, That for all current estimates no payments shall exceed four-fifths of the money meritoriously earned under said contract, after deducting the ratable proportion of the assessments referred to in section 5th of this ordinance.

SECT. 8. Satisfactory evidence shall be furnished by the contractor to the Chief Commissioner of Highways that full payment has been made for all labor done and materials furnished, previously to drawing a warrant for the final estimate of any work done by virtue of this ordinance, and the Chief Commissioner of Highways shall require full and entire payment by the contractors of all labor and materials on account of such work, and the said Commissioner shall give one month's notice, in two daily newspapers, of the time at which final payment will be made on final estimate: *Provided, however*, That the total sum to be paid, as provided in section 7th of this ordinance, shall not exceed the amount of twelve thousand (12,000) dollars.

APPENDIX No. 81.

Philadelphia, May 19, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the opening of Fifty-second street, from Market street to Girard avenue, in the Twenty-fourth Ward, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Chn*,
JAMES MORAN,
A. ALBRIGHT,
EDW. W. PATTON,
J. K. CUMING,
JAS. EVANS,
J. RAYMOND CLAGHORN,
WILLIAM R. GARDY,
GEORGE RONEY,
DAVID MULLEN,
HENRY GLASS,
DANIEL SCHELLINGER,
FRANCIS MARTIN.

AN ORDINANCE

To authorize the opening of Fifty-second street, from Market street to Girard avenue, in the Twenty-fourth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to notify the owners of property over and through which Fifty-second street, from Market street to Girard avenue, in the Twenty-fourth Ward, will pass, that at the expiration of three months from date of said notice, said street will be required for public use.

APPENDIX No. 82.

Philadelphia, May 19, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the opening of Fifty-second street, respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,
JAS. MORAN,
A. ALBRIGHT,
EDW. W. PATTON,
J. K. CUMING,
JAS. EVANS,
J. RAYMOND CLAGHORN,
WILLIAM R. GARDY,
GEORGE RONEY,
DAVID MULLEN,
HENRY GLASS,
DANIEL SCHELLINGER,
FRANCIS MARTIN.

AN ORDINANCE

To repeal part of an ordinance, approved July 5, 1877, entitled "An Ordinance to revise the lines of Fifty-second street, between Race and Vine streets."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the ordinance entitled "An Ordinance to revise the lines of Fifty-second street, between Race and Vine streets," approved July 5, 1877, as provides "that the City be put to no cost for the dedication of the ground, or for damages arising from the change in the location of the street," be, and the same is, hereby repealed.

APPENDIX No. 83.

Philadelphia, May 19, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the opening of Tasker street, from Passyunk avenue to Twelfth street, in the Twenty-sixth Ward, respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n,*
JAMES MORAN,
A. ALBRIGHT,
EDW. W. PATTON,
J. K. CUMING,
JAMES EVANS,
J. RAYMOND CLAGHORN,
WILLIAM R. GARDY,
GEORGE RONEY,
DAVID MULLEN,
HENRY GLASS,
DANIEL SCHELLINGER.
FRANCIS MARTIN.

AN ORDINANCE

To authorize the opening of Tasker street, from Passyunk avenue to Twelfth streeth, in the Twenty-sixth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and he is, hereby authorized and directed to notify the owners of property over and through which Tasker street, from Passyunk avenue to Twelfth street, in the Twenty-sixth Ward, will pass, that at the expiration of three months from the date of said notice said street will be required for public use: *Provided,* The cost thereof shall not exceed the sum of sixty-five hundred (6,500) dollars.

APPENDIX No. 84.

Philadelphia, May 19, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to amend an ordinance entitled "An Ordinance to authorize the grading of Freeland avenue, from Shur's lane to Penn street, in the Twenty-first Ward," respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	J. RAYMOND CLAGHORN,
JAS. MORAN,	WILLIAM R. GARDY,
A. ALBRIGHT,	GEORGE RONEY,
EDW. W. PATTON,	DAVID MULLEN,
J. K. CUMING,	HENRY GLASS,
JAS. EVANS,	DANIEL SCHELLINGER,

FRANCIS MARTIN.

AN ORDINANCE

To amend an ordinance entitled "An Ordinance to authorize the grading of Freeland avenue, from Shur's lane to Penn street, in the Twenty-first Ward."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the ordinance entitled "An Ordinance to authorize the grading of Freeland avenue, from Shur's lane to Penn street, in the Twenty-first Ward," approved March 21, 1881, be so amended as to read "cost not to exceed twelve hundred and seventy-six (1,276) dollars: *Provided,* The culvert or drain required across said street on account of said grading shall be advertised for and awarded to the lowest bidder; the cost of said drain to be taken from Item 6 in the annual appropriation to the Department of Highways for the year 1881."

APPENDIX No. 85.

Philadelphia, May 19, 1881.

To the Presidents and Members of the
Select and Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinances to authorize the paving of Twelfth street and Union street, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,
JAMES MORAN,
A. ALBRIGHT,
EDW. W. PATTON,
J. K. CUMING,
JAMES EVANS,
J. RAYMOND CLAGHORN,
WILLIAM R. GARDY,
GEORGE RONEY,
DAVID MULLEN,
HENRY GLASS,
FRANCIS MARTIN,
DANIEL SCHELLINGER.

AN ORDINANCE

To authorize the paving of Twelfth Street and Union Street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of Twelfth street, from Somerset street to Cambria street, in the Twenty-eighth Ward, with cobble pavement—no cost to the City for intersections; Union street, from Oregon street to Myrtle street, in the Twenty-fourth Ward, with cobble pavement; cost of intersections not to exceed two hundred and twenty-five (225) dollars. The condition of which contract shall be that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided,* Said streets shall be first dedicated or properly opened: *And provided,* The Chief Commissioner of Highways first advertise for proposals for paving said streets, and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

APPENDIX No. 86.

Philadelphia, May 19, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance for the prevention and removal of drainage over footways and streets, respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its adoption.

DAVID WALLACE, *Ch'n*,
J. RAYMOND CLAGHORN,
JAS. MORAN.
WILLIAM R. GARDY,
A. ALBRIGHT,
GEORGE RONEY,
EDW. W. PATTON,
DAVID MULLEN,
J. K. CUMING,
HENRY GLASS,
JAS. EVANS,
DANIEL SCHELLINGER,
FRANCIS MARTIN.

AN ORDINANCE

For the prevention and removal of drainage over footways and streets.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That from and after the passage of this ordinance it shall not be lawful for the owner or owners of any property to permit the drainage therefrom to flow over the footways, and whenever any drain, waste pipe, alley-way gutter or outlet for drainage of any kind shall discharge over or across the footway, it shall be the duty of the owner or owners of the premises from which the same proceeds to convey such drainage underground into the sewer, and hereafter no building shall be erected or altered without provision being made for such drainage as above described.

SECT. 2. That the owner or owners of any dye house, brewery, distillery, or other manufacturing establishment, now or hereafter erected, shall provide proper drainage for the waste water or fluid from the same, and in case there should be no public sewer in front of any part of said premises, the said owner or owners shall construct sufficient and

proper underground drains, under the laws governing the construction of sewers, at private cost: *Provided*, That nothing herein contained shall be taken to permit the drainage of marble works or other establishments, the waste from which may deposit a sediment or obstruction in the sewers.

SECT. 3. Upon the passage of this ordinance the Mayor shall notify by his officers the owners or occupants of all properties, the drainage of which now passes over or across the footways or into the streets as herein specified, to provide drainage as herein required, within thirty (30) days after the service of such notice; and non-compliance therewith shall render the said owner or owners of such properties liable to a fine of five (5) dollars for each week of its continuance, to be recoverable as fines of the like amount are now by law recoverable.

SECT. 4. After the expiration of the thirty days from the date of service of the before described notice, the police force, through their proper officers, shall report to the Mayor the location and number of any premises where the provisions of this ordinance have not been complied with, and the Mayor shall forward a copy of the said report to the Chief Commissioner of Highways, who shall forthwith contract with competent persons to construct such drain as will conform to the provisions of this ordinance, and to do all other necessary work connected therewith; and the cost of the said work shall be charged to the owners of the said properties, and in case the same shall not be paid a lien shall be filed against the same in the manner provided for the filing of municipal liens; and when the said drain shall be at or in any alleyway to carry off the flow from the gutter in the same, the whole cost shall be assessed on the owners of the ground, bounding the said alley, in proportion to their respective fronts thereon.

SECT. 5. It shall be the duty of the Chief Commissioner of Highways to sue for and recover, for the use of the City, all penalties imposed by this ordinance.

SECT. 6. It shall be the duty of officers of the police force to report to the Mayor all violations of this ordinance in their respective districts.

SECT. 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

APPENDIX No. 87.

Philadelphia, May 19, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of Cunningham and McNichol, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*, J. RAYMOND CLAGHORN,
JAS. MORAN, WM. R. GARDY,
A. ALBRIGHT, GEORGE RONEY,
EDW. W. PATTON, DAVID MULLEN,
J. K. CUMING, DAN'L SCHELLINGER,
HENRY GLASS, JAS. EVANS,
FRANCIS MARTIN.

AN ORDINANCE

To authorize the Chief Commissioner of Highways to draw a warrant in favor of Cunningham and McNichol.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief Commissioner of Highways be, and is, hereby authorized and directed to draw a warrant in favor of Cunningham and McNichol for three hundred and ninety-four (394) dollars and eighty (80) cents, in payment of the following bills, viz.: Ninety-five (95) dollars and twenty-five (25) cents for grading Pine street, west of Thirty-ninth street; ninety-nine (99) dollars and ninety (90) cents for filling in wash-out at Forty-eighth and Aspen streets; ninety-nine (99) dollars and seventy-five (75) cents for grading Thirty-ninth street, between Pine and Robin streets, and ninety-nine (99) dollars and ninety (90) cents for filling in wash-out at Oregon and Forty-eighth streets, said amount to be taken from Item 6 in the annual appropriation to the Department of Highways for 1881, and that the City Controller be, and is, hereby authorized and directed to approve said bills and countersign said warrant: *Provided*, Said bills shall have been first approved by the Committee on Highways. All ordinances or parts of ordinances to the contrary notwithstanding.

APPENDIX No. 88.

Philadelphia, May 19, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance relative to grading and paving footways, respectfully report that we have examined and disapprove the same, and submit for your consideration the annexed resolution, and ask its adoption.

DAVID WALLACE, *Ch'n*,
JAS. MORAN,
A. ALBRIGHT,
EDW. W. PATTON,
J. K. CUMING,
HENRY GLASS,
J. RAYMOND CLAGHORN,
WILLIAM R. GARDY,
GEORGE RONEY,
DAVID MULLEN,
DANIEL SCHELLINGER,
JAS. EVANS,
FRANCIS MARTIN.

RESOLUTION

Discharging the Committee on Highways from the further consideration of an ordinance relative to grading and paving footways.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Highways be, and are, hereby discharged from the further consideration of the ordinance entitled "An Ordinance relative to grading and paving footways."

APPENDIX No. 89.

Philadelphia, May 18, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to revise the lines of Turner street, in the Twenty-ninth Ward, beg leave to report that due consideration has been

given to the matter; the street will remain of a sufficient width for the public wants, and the properties upon it can be laid out more advantageously, while provision is made for securing the City against any damage. We return the ordinance, and recommend its speedy passage.

Walter E. Rex, *Ch'n*,	S. A. Miller,
Franklin Reed,	Thomas Shallcross,
Edw. W. Patton,	David Mullen,
John G. Brooke,	Francis Martin,
William McMullen,	Dan'l W. Gilbert,
James R. Gates,	Jas. Donaldson,
John Carpenter,	Stephen Herse,

John W. Durham.

AN ORDINANCE

To revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward.

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Surveys be, and is, hereby authorized to prepare plans for a revision of the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward, so that the south line thereof shall be at the distance of one hundred and thirty-five feet north of Oxford street and parallel thereto, and that the said Turner street shall be thirty-seven feet wide: *Provided*, That ground within the lines of the street as herein described be first dedicated by the owners thereof as a street.

APPENDIX No. 90.

Philadelphia, May 18, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinances and petitions for drainage in various localities of the City, beg leave to report that they have been examined by the

Board of Surveyors, who approve and recommend their construction. Their aggregate length will be 4,062 feet, costing to the property owners upon the lines thereof $8,566, and to the City not exceeding $250. We submit herewith an ordinance for their construction, and respectfully ask that it may receive your early and favorable approval.

Walter E. Rex, *Ch'n*,	William McMullen,
Sam'l A. Miller,	Dan'l W. Gilbert,
Franklin Reed,	Jas. R. Gates,
Thomas Shallcross,	A. Atwood Grace,
Edw. W. Patton,	Jas. Donaldson,
David Mullen,	John Carpenter,
John G. Brooke,	Stephen Herse,
Francis Martin,	John W. Durham.

AN ORDINANCE

To authorize the construction of sewers on Fitzwater, Thirty-third, Twenty-third, Ingersoll, Garnet, Myrtle, State, and McKean streets.

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Highways be, and is, hereby authorized to construct the following sewers, viz.: on Fitzwater street, from Twelfth to Thirteenth street; on Thirty-third street, from Powelton avenue to Race street; on Thirty-third street, from Haverford street to Rockland street; on Twenty-third street, from the sewer in Seybert street to Ingersoll street; thence on Ingersoll street to the west curb line of Twenty-second street; on Garnet street, from a point seventy feet southwest of Somerset street to the Philadelphia and Reading Railroad; on Myrtle street, from Fortieth to Preston street; on State street, from Powelton avenue to Baring street; and on McKean street, from the sewer now being built on Eighth street to the west curb line of Ninth street. Said sewers to be built of brick, circular in shape, and in accordance with specifications prepared by the Chief-Engineer and Surveyor.

Sect. 2. The Chief Commissioner of Highways shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest bidders, and it shall be a condition of the

contracts that the contractor shall keep the said sewers, and that portion of the street along which the said sewers shall be laid, in good order and repair for three years from and after the date of the completion of the said sewers, and shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment, in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Commissioner of Highways to draw warrants for street intersections, manholes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Highways for the year 1881: *Provided*, Said excess does not exceed the sum of two hundred and fifty (250) dollars.

APPENDIX No. 91.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Police, to whom was referred the petition of E. A. Corbin and J. P. Birch, tenants of the wharf property at the northeast corner of Locust and Thirtieth streets, in the Twenty-seventh Ward, to erect a temporary frame shed for manufacturing purposes on said property, respectfully report that they have carefully considered the same, and recommend the passage of the annexed ordinance.

W. ELLW'D ROWAN, *Ch'n pro tem.*,
RICHARD PETERSON,
JAS. EVANS,
STEPHEN HERSE,
JOHN C. BICKEL,
A. ALBRIGHT,
WM. MCMULLEN,
JOHN G. BROOKE,
GEORGE RONEY,
DAVID MULLEN,
JOHN STEEN,
G. W. GREGER,
EVAN JONES.

AN ORDINANCE

To grant permission to E. A. Corbin and J. P. Birch to erect a temporary frame shed on their wharf property at the northeast corner of Thirtieth and Locust streets, in the Twenty-seventh Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That permission be, and is, hereby granted to E. A. Corbin and J. P. Birch, tenants and occupiers of the wharf property at the northeast corner of Locust and Thirtieth streets, in the Twenty-seventh Ward, to erect a temporary frame shed for manufacturing purposes on said property; said building to be enclosed on three sides, the side walls of which shall not exceed twelve feet in height, and the apex of the roof not to exceed twenty-five feet in height. The said buildings to be used in the manufacture of asphalt paving blocks: *Provided,* The said shed be removed at any time on the passage of a resolution or ordinance to that effect, without notice: *And further provided,* That the said E. A. Corbin and J. P. Birch first pay to the Clerks of Councils the sum of fifty (50) dollars for the publication of this ordinance.

APPENDIX No. 92.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Police, to whom was referred an ordinance entitled "An Ordinance to grant permission to construct or build a bulk or oriel window at 805 North Broad street," respectfully report that they have considered the same, and recommend its passage.

W. ELLW'D ROWAN, *Ch'n pro tem.*,
RICHARD PETERSON,
JAS. EVANS,
STEPHEN HERSE,
JOHN C. BICKEL,
A. ALBRIGHT,
WM. MCMULLEN,
JOHN G. BROOKE,
GEORGE RONEY,
DAVID MULLEN,
JOHN STEEN,
G. W. GREGER,
EVAN JONES.

AN ORDINANCE

To grant permission to construct or build a bulk or oriel window at 805 North Broad street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That Augustus Reimer, owning and residing in the property No. 805 North Broad street, in the City of Philadelphia, be granted permission to construct or build on the front of said property, No. 805 North Broad street, a bulk or oriel window extending three feet from the line of said building, and sixteen feet above the sidewalk: *Provided,* That the said Augustus Reimer first pay to the Clerks of Councils the sum of fifty (50) dollars for the publication of this ordinance: *And further provided,* The same may be removed at any time on the passage of a resolution or ordinance to that effect, without notice.

APPENDIX No. 93.

BOARD OF FIRE COMMISSIONERS.

Philadelphia, May 19, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Board of Commissioners of the Fire Department would most respectfully call the attention of your honorable bodies to the scarcity of fire-plugs, and the small capacity of the water mains in the old built-up, manufacturing, and mercantile sections of the City. The immense structures, the vast wealth, and enormous capital now invested in the eastern portion of the City, would seem to demand a far better protection, in case of fire, than the contracted pipes and sparsely-located plugs of half a century ago. They were then deemed sufficient for all purposes, but now they are regarded as relics of bygone days. In the event of fire it is now impossible to place but few of the engines in service, on account of the long leads of hose required, and as a natural consequence there is not that prompt

suppression of the flames which there would be if the matter complained of was remedied. If this department is expected to protect life and property in these districts, the proper means should be placed at its disposal, and the most serious drawback with which it has now to contend is the miserably small mains and sparsely-located plugs now located there.

All of which your Board would most respectfully submit for your consideration, hoping that you will give the matter prompt attention.

JACOB LAUDENSLAGER,
President.

APPENDIX No. 94.

Philadelphia, May 17, 1881.

To the Common Council of the City of Philadelphia.

GENTLEMEN:—The Committee on Law of Common Council, to whom was referred the resolution vacating the offices of certain Fire Commisioners, submits the following report:

The Fire Commissioners named in the resolution were all invited to appear before the Committee. None of them appeared except Mr. Corcoran, who appeared by counsel.

After investigation the following facts have been ascertained:

Mr. Haggerty became an assessor of real estate in 1877, and continues to occupy that office. The office is one created by Act of Assembly.

Mr. Tittermary became a mercantile appraiser in November, 1877, and still occupies that office. The office is one created by Act of Assembly.

Mr. Corcoran became an employee in the office of the Collector of Delinquent Taxes some time before the year 1879. He did not, however, become a deputy of the Collector until after April 16, 1879, when the Act of Assembly authorizing the appointment of deputies by the Collector, and defining their powers, was passed. While there was no evidence before the Committee that he did not still hold the office, the

Committee feel it proper to report that it was stated informally to some of its members that he had recently resigned. The matter was not further investigated, because in view of the opinion of the City Solicitor, hereto annexed, it became entirely immaterial whether he had resigned or not.

Messrs. Haggerty and Corcoran were elected Fire Commissioners in February, 1879. Mr. Tittermary was elected in February, 1881.

Both Mr. Tittermary and Mr. Haggerty, at the time they were elected Fire Commissioners, held offices—one of them, Mr. Tittermary, under the Commonwealth of Pennsylvania, and the other, Mr. Haggerty, under the City of Philadelphia, and still continue to hold them.

In accordance with the opinion of the City Solicitor, of May 2, 1881, addressed to the Sub-Committee of the Committee on Law of Select Council, Council can "rescind their former action" in electing these gentlemen Fire Commissioners, and proceed at once to fill their places by a new election for their unexpired term.

The case of Mr. Corcoran is different. At the time he was elected a Fire Commissioner he did not hold any office under the United States, the State, or the City. After he had been elected and qualified as a Fire Commissioner he became a Deputy Collector of Delinquent Taxes, an office of the City of Philadelphia, created by Act of Assembly. The City Solicitor, in his opinion given to this Committee and hereto annexed, says: "Any Fire Commissioner who accepts another office after his election as such Commissioner, must be held by that act to have resigned his Commissionership." By the acceptance of another office a vacancy is made in such office of Fire Commissioner, which Councils may proceed to fill.

Mr. Corcoran having accepted another office, thereby resigned the office of Fire Commissioner, and Council can proceed to fill such vacancy for his unexpired term.

The Committee therefore reports that the office of Fire Commissioner to which Mr Corcoran was elected in February, 1879, is vacant, by his resignation in accepting the office of Deputy Collector of Delinquent Taxes. And that the offices of Fire Commissioner to which Mr. Haggerty was elected in February, 1879, and to which Mr. Tittermary was elected in February, 1881, may be declared vacant by Council, by

reason of the fact that both of those gentlemen hold offices, which by the tenth section of the ordinance of 29th December, 1870, no Fire Commissioner can hold, and the Committee therefore recommends the adoption of the following resolution in lieu of the resolution referred to therein.

S. S. HOLLINGSWORTH, *Ch'n*, J. W. PATTON,
W. H. H. DAVIS, BENJ. N. FAUNCE,
J. M. VANDERSLICE, USELMA C. SMITH,
A. ATWOOD GRACE, JOHN RUHL,
E. B. MORRIS, S. A. MILLER,
A. J. MALONEY.

—

To the Law Committee of Common Council.

GENTLEMEN:—My opinion has been asked on the following questions:

1. If a person who, at the time of his election as Fire Commissioner, held an office incompatible under the ordinance of 1870 with the office of Fire Commissioner, and resigns such office after he has qualified as a Fire Commissioner, can Councils proceed to elect a Fire Commissioner in place of such person?

2. If a person who, after he has qualified as a Fire Commissioner, accepts an office incompatible with the office of Fire Commissioner, and subsequently resigns such office after qualification, then can Councils proceed to elect a Fire Commissioner in the place of such man?

3. Is a deputy of the Collector of Delinquent Taxes one holding an office in the purview of the ordinance of 1870, in a case when he was appointed before the Act of April 14, 1879?

The first question I answer as follows: The language of the ordinance creating the Paid Fire Department is this: "And no person *holding* any office of any kind under the United States, Commonwealth of Pennsylvania, or the City of Philadelphia, shall *hold* any office created by this ordinance." If the question is to be answered upon the strict letter of the law, it would be sufficient to say that the ordinance forbids the *holding* of two offices, and that an incumbent, upon resigning the incompatible office, would be no

longer a violator of the law, but a duly qualified Fire Commissioner, and there thus being no vacancy, Councils could not proceed to elect another person. My first thought was that the effect of the restriction was to limit the persons from whom Councils could choose, and that an election by Councils of a disqualified person was simply a void election; but I was turned from this idea by a decision of our Supreme Court in the case of Commonwealth *vs.* Pyle, 6 Harris, page 521, in which Judge Black, who delivered the opinion, says that "a man may hold an office after he has been chosen to another which is incompatible with it, provided he resigns the first before he enters upon the duties of the last." I find further that Cushing says, in his valuable treatise on the "Law and Practice of Legislative Assemblies," on page 31, where he treats of disqualifying offices or employments, that "in general, as these disqualifications are not derived from the personal character of the individual, or inflicted by way of punishment, they do not render him ineligible, that is, incapable of being elected, but prevent him from assuming the functions of a member until they are removed." He further says that "this depends upon the language used in reference to each particular disqualification, and the time to which it relates," and that the phrase "*shall hold* a seat" causes the disqualification to relate to the time of assuming the functions of an officer. I am therefore led to the conclusion, that while any person who has been heretofore elected a Fire Commissioner, at the time when he held an incompatible office, was disqualified to enter upon his duties until he resigned such office, yet that the resignation of such office removed his disqualification, and that Councils, having elected no one in his place, while he was so disqualified, cannot elect another now that he possesses all the qualifications demanded by their ordinance. For a further authority upon the subject I have considered, I refer to State *ex rel.* Schust *vs.* Murray, 28 Wisconsin, 96.

I proceed now to the discussion of the second question, which concerns the effect to flow from a duly elected Fire Commissioner accepting, after his election, an office declared by the ordinance to be incompatible. In the case of the Commonwealth *vs.* Nathan M. Hawkes, 123 Mass. 525, it is said that "by the common law, when two offices or public trusts are incompatible with each other, a person holding the one

is not disqualified to be appointed or elected to the other, but his acceptance of the second is, in law, an implied resignation of the first, whenever it may be resigned by the mere act of the incumbent, without the assent or concurrence of a superior authority," and a number of cases are therein cited in support of this view of the law. Hence, any Fire Commissioner who accepted another office after his election as such Commissioner must be held by that act to have resigned his Commissionership, for there could certainly be no stronger assent by Councils to his resignation than their ordinance which says he shall not hold the office. There was, therefore, made a vacancy in such a case which Councils may proceed to fill. The rule which decides this second question does not help in the consideration of the first question submitted to me, because of another principle referred to in the Massachusetts case, which is there said to prevent the State, by any law which her Legislature might pass, from making vacant any office under the United States Government; and so the Councils of a city, by any ordinance which they may pass, cannot make a vacancy in any office held under the United States or the Commonwealth. The lesser power cannot legislate for the greater.

The third question I answer as follows: The Act of 1870, P. L. page 544, provides simply for the appointment of a Collector of Outstanding Taxes, and throws the whole duty of their collection upon him; he was the only officer; the men appointed by him to aid him were simply his employees, and not officers in any sense. The Act of 1879 made a change in this respect, though I need hardly say this, since your question implies a knowledge of such fact.

I am, with great respect,

Your obedient servant,

WM. NELSON WEST,

City Solicitor.

RESOLUTION

Declaring vacant the offices of certain Fire Commissioners.

WHEREAS, Robert C. Tittermary, who was elected Fire Commissioner, holds an office forbidden by the ordinance of December 29, 1870, entitled "An Ordinance to create and

organize a Paid Fire Department for the City of Philadelphia, and to make an appropriation therefor."

And whereas, James Corcoran resigned his office as Fire Commissioner by accepting the office of Deputy Collector of Delinquent Taxes after his election and qualification as Fire Commissioner.

Resolved by Common Council of the City of Philadelphia, That the offices of Fire Commissioners held by Robert C. Tittermary and James Corcoran are hereby declared vacant.

APPENDIX No. 95.

Philadelphia, May 19, 1881.

To the Common Council of the
City of Philadelphia.

Gentlemen:—The Committee appointed in pursuance of resolution entitled "Resolution to inquire as to the eligibility of Michael O'Rourke as a member of Common Council from the Twenty-fifth Ward," respectfully report that they held several meetings, at which Mr. O'Rourke was represented by his counsel, David W. Sellers, Esq. Peter F. Rothermel, Jr., appeared on behalf of Citizens of the Twenty-fifth Ward. The Committee on Law of Common Council presented a report to Common Council, April 21, 1881 (Appendix 24), in which was set forth that Common Council has the right to try and determine this case, and the mode is the same as has been adopted on previous occasions by the Chamber and adopted by the Courts. The jurisdiction having been settled, the Committee had only to ascertain whether Mr. O'Rourke was legally entitled to hold his seat in Common Council.

Section 4 of the Act of the 22d of February, A. D. 1854, entitled "A further supplement to an Act entitled 'An Act to incorporate the City of Philadelphia,'" provides: "The members of Common Council shall have the same qualifications as are required by the Constitution of this Commonwealth for members of the House of Representatives."

The Constitution of 1874, Article II., Section 5, provides that Senators shall be twenty-five years of age, and Representatives twenty-one years of age. They shall have been citizens and inhabitants of the State four, and inhabitants of their respective districts one year *next* before their election (unless absent on public business of the United States), and shall reside in their respective districts during their terms of service.

Mr. O'Rourke was elected to Common Council at the election held February 15, 1881, and, to be qualified by residence, he should have been an inhabitant of the Twenty-fifth Ward one year next before his election, to wit, on the 15th of February, 1880. Six witnesses were examined, and a fair opportunity was afforded for a thorough investigation.

The facts, as disclosed by the evidence which is hereto annexed, marked "A," shows that he resided on the 17th of February, 1880, at No. 820 East Cumberland street, being in the Seventeenth Division of the Thirty-first Ward; that he exercised the right of citizenship by voting on that day in said division, his vote appearing on list of voters number 50; also, that his name is on the assessor's list of said division, made in June, 1879, for the year 1880; it was also shown that he resided there up to March 13, 1880, and that he was marked on the window book of said division as having voted at the November election of 1879. It being obvious that Mr. O'Rourke did not reside in the Twenty-fifth Ward one year next before his election, but, on the contrary, during that period resided and voted in the Thirty-first Ward, the Committee are of the opinion that Mr. O'Rourke is not legally entitled to his seat, and therefore submit the annexed resolution to declare his seat vacant, and recommend its passage.

SAM'L A. MILLER, *Ch'n*,
GEO. W. MYERS,
WM. A. FOSTER,
A. J. MALONEY,
JOHN SHEGOG,
ALEX. REINSTINE.

"A."

TESTIMONY.

John W. Kennedy, sworn. I am a carpenter; I live No. 1919 Richmond street; I lived at No. 1002 East Lehigh avenue, from April 1, 1879, to April 7, 1880; I notified Mr. O'Rourke I was going to move; Mr. O'Rourke moved into the house on the 8th of April, 1880.

James W. Kennedy, sworn. I am a letter carrier; I live at 1215 Ann street, Twenty-fifth Ward. On March 13, 1880, I called at Mr. O'Rourke's house, at No. 820 East Cumberland street, and called the attention of his family to a registered letter at the Post-Office about the same time. I met Mr. O'Rourke, and he told me he was going to move back into his old house at 1002 East Lehigh avenue. I know that Mr. O'Rourke's family lived at 820 East Cumberland Street.

By Mr. Sellers. Question. Did you vote for Mr. O'Rourke at the last election?

Answer. No, sir.

Mr. Sellers protested that Councils have no jurisdiction, and if they have, that the Committee has not been properly drawn, not being drawn in accordance with the Act of Assembly of 1854.

James Murphy, sworn. I live at No. 2313 Cedar street; I was at the election poll Seventeenth Division Thirty-first Ward, February 17, 1880; I saw Mr. O'Rourke go to the window, and, to the best of my knowledge, voted; I saw Mr. O'Rourke afterwards go into his house at 820 East Cumberland street.

By Mr. Sellers. Question. Do you know Mr. O'Rourke?

Answer. Yes, sir.

James Chambers, sworn. I am a laborer; I live at 902 Dickerson street, in the Seventeenth Division of the Thirty-first Ward; I was at the polls on February 17, 1880; I saw Mr. O'Rourke vote that morning, some time between ten and twelve o'clock; I kept the window book; Mr. O'Rourke is marked No. 50; I kept the window book of November, 1879

(book produced); Mr. O'Rourke is marked as having voted at that election; I have seen Mr. O'Rourke since that time going in and out of the house at 820 East Cumberland street.

James Miller, sworn. I am a glass-blower; I live 2316 Gaul street, in the Seventeenth Division Thirty-first Ward; I was minority inspector at the election February 17, 1880 (book containing list of voters produced); Mr. O'Rourke is marked in the return list of voters as having voted, his number being 50.

Mr. P. F. Rothermel, Jr., counsel on behalf of the Citizens of the Twenty-fifth Ward, offered in evidence the window books of the elections of November, 1879, and February 17, 1880; also the minority inspector's list of voters of election of February 17, 1880; also the return of voters February 17, 1880, which were filed in the Prothonotary's office, and which were vouched for by Mr. White, clerk in said office. The return showed that Mr. O'Rourke voted, his number being 50.

Captain Henry R. Adams, sworn. I live at 1809 Richmond street; I saw the assessor's list of the Seventeenth Division of Thirty-first Ward for 1879, at the City Commissioner's office; Mr. O'Rourke is assessed as a contractor, No. 820 East Cumberland street.

By Mr. Sellers. Question. How long have you known Mr. O'Rourke?

Answer. Three or four years.

Michael O'Rourke, sworn. I lived in the Twenty-fifth Ward from the spring of 1866 till the fall of 1879. I became owner of the property 1002 East Lehigh avenue, in the early part of 1872; I lived there until March, 1879; I left there in March, 1879, on account of the death of five children; I moved to No. 820 East Cumberland street, and lived there until early part of April, 1880; in the fall of 1879 I was about renting a house at Frankford road and Clearfield street; I heard that Mr. Kennedy was going to move; I went to see him, and told him I was anxious to get back again into my old house, and said to him, "I understand you are going to move;" Mr. Kennedy said he was going to move as soon as he could get

another house; as soon as Mr. Kennedy left the house I moved in; my majority in the ward was twenty-eight over the next highest; I always intended to return to the ward when I moved out; I voted in the Thirty-first Ward at the spring election of 1880; don't recollect of voting in the Thirty-first Ward in fall of 1879; Mr. Kennedy had a lease of the house for one year, and payable, I think, monthly; he left in April, 1880, between the first and tenth of April; Mr. Kennedy's evidence was about correct.

RESOLUTION

Adjudging and determining the seat of Michael O'Rourke vacant.

Resolved, That Common Council having heard and considered the case of Michael O'Rourke, adjudge and determine that the said Michael O'Rourke, having been a citizen and inhabitant of the Twenty-fifth Ward less than one year next before his election, is not legally entitled to hold his seat in Common Council, and said seat is hereby declared vacant.

Resolved, That the Committee be discharged from a further consideration of the subject.

APPENDIX No. 96.

Water Department.

Philadelphia, May 26, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—In the annual appropriation to this department for the year 1881, there is an Item, No. 24, which reads: "For the further extension of the Water Works, subject to more specific appropriation by ordinance, eighty thousand (80,000) dollars."

Before the adjournment of Councils for the summer recess, I would respectfully remind your honorable bodies of this item, and request its specific appropriation in order to carry into effect its purpose.

If, in your wisdom, you see fit to apply this Item No. 24 towards the laying of larger distributing mains to increase the facilities for the better flow of water, I would respectfully suggest selections from the recommendations, endorsed by the Board of Trade, and to be found on pages 89 and 90 of the report of this department, presented to Councils May 5, 1881. If you deem it better to apply this Item No. 24 towards the completion and use of a subsiding basin, as recommended in the supplemental report presented to Councils October 1, 1880, and to be found in Appendix to Report, presented May 5, 1881, it will be necessary to so legislate, otherwise the season will pass when such work can be done.

Yours, very respectfully,
WM. H. McFADDEN,
Chief-Engineer Water Department.

APPENDIX No. 97.

RESOLUTION

Of instruction to the Chief-Engineer and Surveyor of the City, relative to preparing a plan of the Almshouse property.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Chief-Engineer and Surveyor be,

and he is, hereby authorized and directed to prepare for the use of the Mayor and Commissioner of Markets and City Property a plan of the property belonging to the City, situate in the Twenty-seventh Ward, known as the Almshouse property.

APPENDIX No. 98.

Philadelphia, May 26, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance to make an appropriation to the Department for Supplying the City with Water, for the purpose of refunding certain twice paid and overpaid and paid in error water-rents and pipe-laying bills, reported from the Committee on Water Works, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	S. S. HOLLINGSWORTH,
JOHN BARDSLEY,	THOS. M. HAMMETT,
CHAS. F. ISEMINGER,	DAVID WALLACE,
S. C. COLLINS,	J. W. PATTON,
G. W. BUMM,	OLIVER PARKER,
GEORGE R. SNOWDEN,	JAS. R. GATES,
THOS. GREEN,	JOHN MCCULLOUGH,
WALTER E. REX,	JAMES L. MILES.

AN ORDINANCE

To make an appropriation to the Department for Supplying the City with Water, for the purpose of refunding certain twice paid and overpaid and paid in error water-rents and pipe-laying bills.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of two thousand seven hundred and sixty-four (2,764) dollars and thirty-five (35) cents be, and the same is, hereby appropriated to the Department for Supplying the City with Water, for the purpose of refunding certain twice-paid, overpaid, and paid in error water-rents and pipe-laying bills, paid to the Water De-

partment from January 1, 1881, to May 14, 1881, and paid into the City Treasury by the Registrar as per ordinance of December 24, 1878. Warrants for the same to be drawn by the Chief-Engineer of the Department in favor of the persons named in schedule filed with City Controller.

APPENDIX No. 99.

Philadelphia, May 26, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance to authorize the Mayor to enter into a contract with Hilles & Jones for the construction, erection, and completion of a new boiler, pipes, connections, and fittings for the Chestnut Hill Water Works, and providing for the payment of the same, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
JOHN BARDSLEY,
WALTER E. REX,
THOS. M. HAMMETT,
CHAS. F. ISEMINGER,
S. S. HOLLINGSWORTH,
DAVID WALLACE,
S. C. COLLINS,
J. W. PATTON,
G. W. BUMM,
OLIVER PARKER,
GEORGE R. SNOWDEN,
JAS. R. GATES,
THOS. GREEN,
JOHN McCULLOUGH,
JAMES L. MILES.

AN ORDINANCE

To authorize the Mayor to enter into a contract with Hilles & Jones for the construction, erection, and completion of a new boiler, pipes, connections, and fittings for the Chestnut Hill Water Works, and providing for the payment of the same.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Mayor be, and is, hereby authorized to enter into a contract with Hilles & Jones for the construction, erection, and completion of a new boiler at the Chestnut Hill Water Works, for the sum of seventeen

hundred and ninety-two (1,792) dollars; and for all pipes, connections, and fittings, as provided in contract.

The boiler to be in accordance with the plans, specifications, and conditions of the Department for Supplying the City with Water.

The said contract to be first approved by the Chief-Engineer of the Water Department.

SECT. 2. The City Controller is hereby authorized to approve warrants drawn, in payments for said boilers, pipes, connections, and fittings, upon Item 3, ordinances of December 31, 1878, November 22, 1879, and June 29, 1880.

APPENDIX No. 100.

Philadelphia, May 26, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the paving of Naudain street and Twenty-sixth street, in the Seventh Ward, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	A. REINSTINE,
JAMES MORAN,	WILLIAM R. GARDY,
JNO. L. GRIM,	J. M. VANDERSLICE,
CHAS. K. MERKLEE,	DAVID MULLEN,
EDW. W. PATTON,	FRANCIS MARTIN,
HUGH COPELAND,	DANIEL SCHELLINGER,
HENRY GLASS,	A. ALBRIGHT,

JAMES EVANS.

AN ORDINANCE

To authorize the paving of Naudain and Twenty-sixth streets, in the Seventh Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of Naudain street, from Twenty-sixth street to Barnwell street, in the Seventh Ward, with cobble pavement, cost of intersections not to exceed twenty-five (25) dollars and fifty (50) cents. Twenty-sixth street, from Lombard street to South street, in the Seventh Ward, with cobble pavement, cost of intersections not to exceed fifty-one (51) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided,* Said streets are first dedicated or properly opened: *And provided,* The Chief Commissioner of Highways first advertise for proposals for paving said streets, and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

APPENDIX No. 101.

Philadelphia, May 25, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to revise the lines of Gorgas street, between Germantown avenue and Chew street, beg leave to report that this revis-

ion of these lines means the widening of the present street, which is thirty-three feet wide, between the points named to fifty feet, corresponding with that portion of said street northeast of Chew street. The Board of Surveys recommend this revision, and we concur in their recommendation, presenting a revised ordinance herewith, protecting the City against damages for land damages, and respectfully ask its adoption.

WALTER E. REX, *Ch'n*, JOHN CARPENTER,
S. A. MILLER, FRANKLIN REED,
CHAS. E. WEBSTER, THOS. SHALLCROSS,
A. ATWOOD GRACE, JAS. DONALDSON,
JAS. R. GATES, DAN'L W. GILBERT,
WM. MCMULLEN, EDW. W. PATTON,
DAVID MULLEN, FRANCIS MARTIN,
DAN'L SCHELLINGER.

AN ORDINANCE

To revise the lines of Gorgas street, between Germantown avenue and Chew street, in the Twenty-second Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Surveys be, and is, hereby authorized to revise the lines of Gorgas street, between Germantown avenue and Chew street, by increasing the width thereof eight feet six inches on each side, making it fifty feet wide and corresponding with that portion of said street northeast of Chew street: *Provided*, That the City shall be at no expense for land damages.

APPENDIX No. 102.

Philadelphia, May 25, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to amend the ordinance entitled "An Ordinance to place Floyd street, in the Twenty-second Ward, upon the plan of the City," beg leave to report, that this matter received due consideration, interested parties were heard, and, as it appeared there were no objections to the amendment as set forth in the ordinance, we return it with a favorable recommendation.

WALTER E. REX, *Ch'n*,	JAMES DONALDSON,
JOHN CARPENTER,	JAS. R. GATES,
S. A. MILLER,	DAN'L W. GILBERT,
FRANKLIN REED,	WILLIAM MCMULLEN,
CHARLES E. WEBSTER,	EDW. W. PATTON,
THOMAS SHALLCROSS,	DAVID MULLEN,
A. ATWOOD GRACE,	DANIEL SCHELLINGER,

FRANCIS MARTIN.

AN ORDINANCE

To amend the ordinance entitled "An Ordinance to place Floyd street, in the Twenty second Ward, upon the plan of the City."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Ordinance entitled "An Ordinance to place Floyd street, in the Twenty-second Ward, upon the plan of the City," approved December 31, 1880, be altered and amended by striking out in the proviso the figures "1881" and inserting the figures "1882."

APPENDIX No. 103.

Philadelphia, May 25, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance directing a topographical survey on Plan 279, Twenty-sixth Ward, beg leave to report that this topography has never been laid down upon the plan; the ground is broken and traversed by numerous watercourses, and excavations made in digging for brick clay have changed the natural features of the land; these should be accurately delineated in providing for the extension of streets, and to devise an intelligent system of drainage for the records in the Department of Surveys. We return the ordinance, and respectfully ask its adoption.

WALTER E. REX, *Ch'n*,	JOHN CARPENTER,
S. A. MILLER,	FRANKLIN REED,
CHARLES E. WEBSTER,	THOMAS SHALLCROSS,
A. ATWOOD GRACE,	JAS. DONALDSON,
JAS. R. GATES,	DANIEL W. GILBERT,
WILLIAM MCMULLEN,	EDW. W. PATTON,
DAVID MULLEN,	FRANCIS MARTIN,

DANIEL SCHELLINGER,

AN ORDINANCE

Directing a topographical survey on Plan 279, Twenty-sixth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Surveys be authorized and directed to make a topographical survey and plan of that part of the Twenty-sixth Ward, between Tasker and Ritner streets, and Twenty-fifth street and Schuylkill river, being Plan 279, on file in the Department of Surveys; and that Item 13, of the annual appropriation to the Department of Surveys for 1881, be used to partially pay the cost of above survey.

APPENDIX No. 104.

Philadelphia, May 25, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying applications for sewers, beg leave to report that the Board of Surveyors, to whom these applications were referred for examination, state that public and private interests and the general health of the City require their construction, the aggregate length of which will be 1,594 feet, costing to the property owners upon the lines thereof $4,355, and any excess over and above the assessment bills is provided for by ordinance, approved April 3, 1868. We submit an ordinance herewith, and respectfully ask its adoption.

WALTER E. REX, *Ch'n*,
WILLIAM McMULLEN,
EDW. W. PATTON,
CHARLES E. WEBSTER,
JOHN G. BROOKE,
DANIEL W. GILBERT,
JAS. EVANS,
JOHN CARPENTER,
JAS. DONALDSON,
FRANKLIN REED,
FRANCIS MARTIN,
DANIEL SCHELLINGER,
JAS. R. GATES,
A. ATWOOD GRACE.

AN ORDINANCE

To authorize the construction of sewers on Eighth, Dudley, Green, and Emerald streets, and on Lancaster avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Highways be, and is, hereby authorized to construct the following sewers, viz.: On Eighth street, from McKean to Dudley street; thence on Dudley street, from Eighth street to the east curb line of Ninth street; on Green street, from the sewer in Tenth street, eastward, to the angle in said Green street; on Emerald street, from the terminus of a sewer, twenty-five feet southwest of Hart lane, to a point one hundred and twenty-five feet southwest of Cambria street; and on Lancaster avenue, an extension, from near Fifty-first

street, to Fifty-second street; each with a clear inside diameter of three feet; said sewers to be built of brick, circular in shape, and in accordance with specifications prepared by the Chief-Engineer and Surveyor.

SECT. 2. The Chief Commissioner of Highways shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest bidders, and it shall be a condition of said contract that the contractor shall accept the sums assessed upon, and charged to, the properties lying on the lines of said sewers, in manner and form authorized by ordinance, entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment, in addition to that provided for by ordinance entitled "An ordinance authorizing the Chief Commissioner of Highways to draw warrants for street intersections, manholes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to Item (for branch sewers) of annual appropriation made to the Department of Highways for the year 1881.

APPENDIX No. 105.

Farmers' and Mechanics' National Bank.

Philadelphia, June 1, 1881.

William H. Lex, Esq.,
President of Common Council
of the City of Philadelphia.

Dear Sir:—Agreeably to section third of ordinance of Councils, approved the 16th day of March, 1872, we have the honor to submit herewith a report, showing the aggregates of the four, five, and six per cent. loans of the City, on which interest is paid by the City, as they stood on January 1, 1881, and as they stand on the books at the Farmers' and Mechanics' National Bank on June 1, 1881.

Very respectfully,

E. M. LEWIS,
President.

Report showing the aggregates of the Four per cent. Loans, the Five per cent. Loans, and the Six per cent Loans of the City of Philadelphia, on which interest is payable, as they appear on the books at the Farmers' and Mechanics' National Bank, Philadelphia, Loan and Transfer Agent of the City, on June 1, 1881.

	Principal. Six per cent., untaxed.	Principal. Six per cent., taxed.	Principal. Four per cent., untaxed.	Principal. Five per cent., taxed.
Total of loans January 1, 1881, held by general holders..	$38,845,700 00	$4,272,870 64	$5,883,750 00	$41,920 22
Total of loans January 1, 1881, held by Sinking Funds	12,220,300 00	4,928,102 87	3,316,025 00	
	$51,066,000 00	$9,200,973 51	$9,199,775 00	
Deduct matured loan January 1, 1881		101,902 87	392,950 00	11,500 00
		$9,099,070 64		
Deduct matured loan March 20, 1881		220 64		
		$9,098,850 00	$8,806,825 00	$30,420 22
Deduct matured loan July, 1868, James Galbraith. See City Treasurer's order dated April 22, 1881		300 00		
		$9,098,550 00		
Add total coupon bonds, untaxed	56,500 00			
Add total coupon bonds, taxed		3,500 00		
	$51,122,500 00	$9,102,050 00	$8,806,825 00	$30,420 22

RECAPITULATION.

Six per cent. loan, untaxed	$51,122,500 00
Six per cent. loan, taxed	9,102,050 00
Five per cent. loan, taxed	30,420 22
Four per cent. loan, untaxed	8,806,825 00
	$69,061,795 22

The Farmers' and Mechanics' National Bank, Philadelphia, Loan and Transfer Agent of the City.

Philadelphia, June 1, 1881.

E. M. LEWIS, *President.*

Report of the aggregates of the Four per cent. Loans, Five per cent. Loans, and Six per cent. Loans of the City of Philadelphia, on which interest is paid by the City, as they stood on January 1, 1881, and as they stand on the books at the Farmers' and Mechanics' National Bank, Philadelphia, Loan and Transfer Agent of the City, on June 1, 1881.

	Six per cent.	Six per cent.	Five per cent.	Four per cent.	Decrease.
Aggregates of the four per cent. loans, December 1, 1880				$9,199,775 00	
Aggregates of the four per cent. loans, June 1, 1881				8,806,825 00	
					$392,950 00
Aggregates of the five per cent. loans, December 1, 1880			$41,920 22		
Aggregates of the five per cent. loans, June 1, 1881			30,420 22		
					11,500 00
Aggregates of the six per cent. loans, December 1, 1880	$60,266,973 51				
Aggregates of the six per cent. coupon bonds, December 1, 1880	122,000 00				
		$60,388,973 51			
Aggregates of the six per cent. loans, June 1, 1881	$60,164,550 00				
Aggregates of the six per cent. coupon bonds, June 1, 1881	60,000 00				
		60,224,550 00			
Loans of December 11, 1855 $51,500 00					164,423 51
Bounty loan, No. 3 5,000 00					
District of Richmond 3,500 00 $60,000 00				Total decrease	$568,873 51
District of Spring Garden $13,000 00. Matured May 15, 1881.					
District of Northern Liberties 49,000 00. Matured May 15, 1881.					
$62,000 00					

The Farmers' and Mechanics' National Bank, Philadelphia, Loan and Transfer Agent of the City.

Philadelphia June 1, 1881.

E. M. LEWIS, *President.*

APPENDIX No. 106.

Condition of the appropriation to the Department of Surveys, May 31, 1881.

For	Appropriat'n	Expended.	Balance.
Items.			
1. Salaries, general office and registry Bureau	$15,390 00	$6,412 50	$8,977 50
2. Stationery, record books, draughting materials, and instruments	1,000 00	342 03	657 97
3. Cleansing offices, carriage hire, and incidentals	1,200 00	473 84	726 16
4. Salaries thirteen District Surveyors	6,500 00	1,625 00	4,875 00
5. Preparing liens for municipal claims	400 00		400 00
6. Land-marks (corner-stones)	200 00		200 00
7. Plans and examinations of sewers and bridges	3,000 00	863 00	2,137 00
8. Surveys of properties for Registry Bureau	500 00		500 00
9. Four draughtsmen for Registry Bureau	3,600 00	1,500 00	2,100 00
10. New surveys ordered during the year 1881	1,500 00		1,500 00
11. Plans of streets placed upon City Plans	200 00	64 00	136 00
12. Lines and grades in First Survey District, between Curtin street and Government avenue	1,000 00		1,000 00
13. Revision of lines and grades, with topography, on Plan 272	400 00		400 00
14. Lines and grades, with topography, in Eighth Survey District	2,000 00	186 00	1,814 00
15. Completing revision of lines and grades in the Twenty-third Ward	1,502 00		1,502 00
16. Revision of lines and grades, with topography, on Plan 154	528 00		528 00
17. Revision of lines and grades, with topography, on Plan 156	1,000 00		1,000 00
18. Revision of lines and grades, with topography, on Plan 157	700 00		700 00
19. Revision of lines and grades, with topography, on Plan 278	1,000 00		1,000 00
20. Revision of lines and grades, with topography, on Plan 282	1,000 00		1,000 00
21. Duplicate plans, with topography of Plans 130 and 107	750 00		750 00
22. Levels for fixing grades upon Plan 161	100 00		100 00
23. Carriage hire and horse keep for Chief-Engineer and Surveyor	360 00	90 00	270 00
24. Preparation of plans for the port of Philadelphia	2,000 00	236 51	1,763 49
25. Making plans of Warden's line, Delaware and Schuylkill	500 00		500 00
Totals	$46,330 00	$11,792 58	$34,537 42

Attest— GEORGE STURGES,
Recording Clerk.

APPENDIX No. 107.

Law Department.

Philadelphia, June 2, 1881.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

Gentlemen:—Having received notice of the adoption by your honorable bodies, on May 19, 1881, of a resolution directing me to ascertain by what authority of law the Fifth and Sixth Streets Passenger Railway Company have closed the bridge over Frankford creek, in the Twenty-third and Twenty-fifth Wards, to vehicles, "the said bridge having been a public highway and thoroughfare for over twenty years," I enclosed a copy of the same to Edward Olmsted, Esq., of counsel with the said Railway Company, with the request that he would favor me with a written statement of the reasons which impelled the Company to close the bridge. I append hereto a copy of his reply. From Mr. Olmsted's statement, which covers the whole subject, it is apparent that the situation of affairs is as follows:

The bridge is either a public highway, or it is not. If the former, then the City must assume the custody of it, pay for the costs of its maintenance and repair, and be responsible for damages which may arise in consequence of its want of repair. If the latter, this right, duty, and responsibility devolve exclusively upon the Company.

It is evident from Mr. Olmsted's letter that the Company is prepared to accept either of these alternatives, and it remains for your honorable bodies to decide which you will elect on behalf of the City.

The Company deem the bridge entirely safe for their cars, but unsafe for general travel, and in view of its doubtful status fear that they might be held for damages suffered by any one travelling over it, and to guard against this they close it. If you, by ordinance, accept the bridge as a public highway, and thus assume its care, the Company would be relieved of this liability. If you conclude to accept it, provision for its examination and repair, if needed, should be forthwith made.

Yours, very respectfully,

WM. NELSON WEST,
City Solicitor.

May 31, 1881.

WILLIAM NELSON WEST, ESQ.,
City Solicitor.

DEAR SIR:—I am in receipt of your note of the 26th, enclosing a copy of a resolution of the City Councils, and requesting me to inform you of the reasons why the Frankford and Southwark City Railroad Company have acted as set forth in the resolution. The latter requires the City Solicitor to ascertain by what authority of law the company mentioned have closed the bridge over Frankford creek, in the Twenty-third and Twenty-fifth Wards, to vehicles. It is asserted in the resolution, "the said bridge having been a public highway and thoroughfare for over twenty-one years."

The railroad company built the bridge in question in the year 1857, for the purpose of laying their track thereon, and for no other purpose. They interposed no objection to its use for ordinary travel. In 1862 it was destroyed by a freshet and rebuilt by the company. The expense of building, rebuilding, repairing, and maintaining has been wholly borne by the company.

In 1880 the company made a communication to Councils, in which they represented what is above set forth, and added, "the bridge has been used as a public thoroughfare, and so constantly, and for such a length of time, as to make it a public highway. The bridge is sufficiently strong and secure to insure safety for the railroad travel of your petitioners, but they are not satisfied that it is equally secure and safe for the amount of travel now passing over it. If an accident should happen in consequence of a defective bridge, it might be questioned whether the City corporation would not be liable in damages.

"The bridge needs repair, and before your petitioners proceed with the work, they are anxious to have it settled who are the proper custodians of the bridge, the City or the Railway Company. If the latter, they cannot be expected to provide a bridge for any travel but their own; if the former, then the bridge should be enlarged to meet the requirements of the increased and increasing travel."

This petition was, in due course, referred to you for your opinion whether the bridge was public or private; and, in a carefully considered opinion, you informed Councils that the

bridge was a private one, erected by the Railroad Company to carry its track across Frankford creek; and that the City corporation could not be charged with the duty to repair a highway not laid out and opened by the public authorities, nor be made liable for injuries for suffering such a highway to remain defective, unless there had been an acceptance of the highway by the municipality, either expressly or by implication.

In respect to the case in hand, you said "that there had been no express acceptance nor any action upon the part of the City or her officials from which such acceptance could be implied." And you concluded "that Councils should decline to contribute to the erection or repair of the bridge."

The public authorities having thus disclaimed any control over the bridge, and declined to aid in keeping it secure for all kinds of travel, the Railroad Company were constrained to provide for their own security, and they have therefore been obliged to forbid the use of their bridge for common travel.

If the City will open for public use, as a highway, Kensington avenue, from old Front street to the main street in Frankford, the Railroad Company will dedicate so much of their own property as is within those limits for that purpose.

EDWARD OLMSTED,

Solicitor of the Frankford & Southwark R. R. Co.

APPENDIX No. 108.

Philadelphia, June 2, 1881.

To the Select and Common Councils
of the City of Philadelphia.

This memorial showeth:

At a meeting of property owners and renters, located on Market street, Front street, and Lancaster avenue, who are opposed to the proposed elevated railroad on said thoroughfares, held Wednesday evening, June 1st, at the Board of Trade rooms, the following preambles and resolutions were unanimously adopted:

WHEREAS, Renewed efforts are now being made to obtain the sanction of City Councils to the construction of an elevated railroad on our business thoroughfares;

AND WHEREAS, It is the sense of this meeting that we do, most emphatically, deprecate the construction of said proposed elevated railroad, as being detrimental to our interests as property owners, renters, and merchants, as well as to the community at large; and further, that said proposed elevated railroad would destroy the exterior and interior beauty of our City; now therefore be it

Resolved, That we, the property owners and renters, located on Market street, Front street, and Lancaster avenue, do most earnestly request Councils to withhold their approval of said scheme;

And resolved, That the underground system of railways, which affords rapid transit without the destruction of our streets and the destroying of all improvements, furnishes a solution for the accomplishment of rapid transit in large cities, without aggression upon the rights of others;

And be it further resolved, That we solicit the hearty co-operation of all citizens who are in sympathy with our offorts.

All of which is respectfully submitted.

WM. D. KEMPTON,
Chairman.

Attest—
ELLISTON P. MORRIS,
Secretary.

APPENDIX No. 109.

RESOLUTION

To meet in Joint Convention.

Resolved, That the Select and Common Councils meet in Joint Convention this day, at four o'clock, for the purpose of electing four Guardians of the Poor and a member of the Board of Health, and election of two members of the Board of Port Wardens to fill vacancies.

APPENDIX No. 110.

Philadelphia, May 20, 1881.

To WILLIAM BALDWIN, ESQ.,
Chief Commissioner of Highways.

DEAR SIR:—At the meeting of Councils yesterday, the statement was made on the floor of the Chamber, and also to us in conversation with some of the members, that no supervision was exercised by your office over the construction of *branch* sewers, built by contract; that while the main, large sewers were directly under the eye of an engineer, charged with the duty of inspection by Councils, in the ordinance authorizing each sewer in question, the small three-feet sewers, on the contrary, were left entirely to the good faith of the contractors. As a consequence of this, it was stated, in many instances the specifications of the contracts were recklessly disregarded.

Without entering into the correctness of the statement, we wish to ask merely as a matter of information, whether it is the practice of the department to retain control and management of the construction of these sewers, and to superintend the work of construction as well as the character of the materials used?

The ordinance of December 23, 1874, organizing your department, looks to such duty being performed by you, and the form of contract in use for branch sewers, as you know, specifies it very clearly.

If this duty cannot be performed by you, owing to an insufficient number of employees, or for any other reason, we think that such a matter is of vital importance to the health of the City, and should be brought directly to the attention of Councils.

Will you kindly let us hear from you at your convenience.

Very respectfully,

(Signed) EFFINGHAM B. MORRIS,

(Signed) J. RAYMOND CLAGHORN.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, May 21, 1881.

Messrs. EFFINGHAM B. MORRIS and
J. RAYMOND CLAGHORN.

GENTLEMEN:—Your communication relative to branch sewers at hand, in which you say that the statement was made on the floor of Councils, at its last meeting, "that no supervision was exercised by this department over the construction of branch sewers," and in a subsequent conversation with Mr. Claghorn he stated that the assertion had also been made, that sewers ordered to be three feet in diameter had been built but two feet six inches.

In reply I would say, that so far as a supervision of the construction of said sewers is concerned by my department, it is done as thoroughly as my limited force of assistants will permit, as the entire work of a district, the area of which, as you know, is very great, must be done by one person, and as said work includes, in some districts, paving, repaving, repairing roads, bridges, trunks, drains, sewers, and inlets, and the building of new sewers and inlets, besides examining into the hundreds of daily complaints of citizens, and all these various kinds of work progressing at one time, you can well see that it requires no ordinary amount of activity and industry to accomplish a satisfactory result; but I have always felt that when the Highway Department had inspected the character of the material being used, that its duty ended, and that all questions of engineering came under the jurisdiction of the Survey Department; so that with reference to the charge of sewers having been constructed of a diameter of but two feet six inches, I cannot say whether or no this is true, although I know of no such instance, having relied entirely, as I said, upon the Survey Department for measurements.

The routine of ordering and constructing a sewer is as follows: Councils pass an ordinance directing the construction of a sewer, which ordinance further directs that said sewer shall be built upon specifications prepared by the Chief-Engineer and Surveyor, and that the Chief Commissioner of Highways shall advertise according to law, and award the contract to the lowest bidder, which contract is

signed by the Mayor. Before commencing the work the District Surveyor furnishes the contractor with the proper levels, depths, and sizes, and, I have always understood, was required to visit and inspect the work daily, in order to ascertain if the specifications were being complied with; for when the work is completed, if it be done properly, the said Surveyor furnishes a certificate of the general form of the one, of which please find copy enclosed, which certainly indicates an examination of the work, mentioning specifically the diameter of the sewer, and without which certificate I do not for one instant presume the Chief-Engineer will issue a bill or estimate for my approval.

You will see, however, by the present system, the responsibility is divided between the Chief-Engineer and Surveyor, the District Surveyor, and the Highway Department, which divided responsibility, I am free to admit, works injuriously in this, as in many other instances in our municipal affairs—a matter to which I have heretofore called the attention of Councils.

This fact, as applied to branch sewers, is one to which I have especially given considerable attention and thought since I have been at the head of the Highway Department, and within the past year I have had several conversations with the Chief Engineer and Surveyor, in which I have urged the necessity of having the responsibility placed entirely in one department, which I have always felt should be the Survey Department.

The appointment of Inspectors of main sewers was formerly in my hands, but I soon found that such appointees should be engineers, and communicated these views to Councils, with the suggestion that they be appointed by the Chief-Engineer and Surveyor; acting upon which, Councils passed an ordinance placing said appointments in the latter's hands. I now think the ordinance should be amended, to include, under the same head, the appointment of competent inspectors of branch sewers.

There is no municipal work of more vital importance than the proper construction of sewers, for it not only effects the comfort and convenience, but the life and health of the citizens, and anything which tends to improve the system upon which they are built should meet with the hearty co-

operation of Councils and the heads of departments, and I am pleased to find that you gentlemen are giving the matter your earnest attention.

Trusting it may lead to beneficial results, I remain,

Very respectfully,

WILLIAM BALDWIN,
Chief Commissioner of Highways.

1945 CHRISTIAN STREET,

Philadelphia, April 7, 1881.

SAMUEL L. SMEDLEY, ESQ.,
Chief-Engineer and Surveyor.

DEAR SIR:—Mr. Hong has built a sewer, three feet inside diameter, of brick, from Thirteenth to Broad street (on Fitzwater street), a total distance of five hundred and seventy-one feet six inches, with two manholes; also, three brick inlets, No. 2, and one iron inlet. The street has been repaved over the trench.

Respectfully, yours,

W. C. CRANMER,
Surveyor and Regulator First District.

APPENDIX No. 111.

RESOLUTION

Of request to the City Controller to countersign certain warrants.

Resolved by the Select and Common Councils of the City of Philadelphia. That the City Controller be, and is, hereby requested to countersign warrants in payment of the men employed as temporary assistants on the draw of Penrose Ferry bridge, and take the amount of same from Item 11 of the annual appropriation to the Department of Highways for 1881.

APPENDIX No. 112.

RESOLUTION

Instructing the Chief Commissioner of Highways to notify the contractors to repair certain streets in the Twenty-sixth Ward.

WHEREAS, The following streets in the Twenty-sixth Ward are greatly in need of repair, namely, Reed street, from Broad street to Seventeenth street; Bancroft street, from Reed street to Dickinson street; Federal street, from Fifteenth street to Sixteenth street; therefore

Resolved by the Select and Common Councils of the City of Philadelphia, That the Chief Commissioner of Highways be, and is, hereby instructed to notify the contractors of First District to repair the same within fifteen days from the passage of this resolution, and in default thereof, to proceed and perform the same at the expense of said contractors.

APPENDIX No. 113.

RESOLUTION

Of instruction to the Chief Commissioner of Highways to notify the Union Passenger Railroad Company to repair streets in the Twenty sixth Ward.

WHEREAS, The streets at Seventeenth and Reed streets (Twenty-sixth Ward) are in such a condition, for want of repaving, as to be detrimental to the health of the citizens of that vicinity, said streets being used by the Union Passenger Railroad Company, therefore

Resolved by the Select and Common Councils of the City of Philadelphia, That the Chief Commissioner of Highways be, and is, hereby instructed to notify said company to have the same put in good condition within ten days from the passage of this resolution, and in default thereof, to proceed at once and perform the same at the expense of said company.

APPENDIX No. 114.

Philadelphia, June 2, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to make an appropriation to pay the interest on the funded debt of the City of Philadelphia, falling due on the first day of July, 1881, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	A. A. CATANACH,
JOHN BARDSLEY,	JOHN SHEGOG,
WM. B. IRVINE,	DAVID WALLACE,
WALTER E. REX,	J. W. PATTON,
S. C. COLLINS,	JAS. R. GATES,
J. DALLAS HALL,	GEO. R. SNOWDEN,
CHAS. F. ISEMINGER,	G. W. BUMM.

—

OFFICE OF THE CITY TREASURER.

Philadelphia, June 2, 1881.

HENRY CLAY, ESQ.,
Chairman Finance Committee.

DEAR SIR:—I have the honor to transmit herewith application for appropriation by Councils for amount of semi-annual interest and State tax on City loans:

Amount of interest, - - -	$1,977,438 96
State tax, - - -	61,544 54
Total amount required, - -	$2,038,983 50

Respectfully, yours,

JOS. J. MARTIN,
City Treasurer.

By JNO. A. BELL,
Chief Clerk.

Loans claimed to be exempt from taxation by the State.

Held by	Six per cent. free Loan.	Four per cent. Loan.	Old taxed 6's and 5's.
City Sinking Funds	$12,112 800	$3,122,350	$3,871,400
Trustees Gas Sinking Funds	402,000		1,054,600
Manayunk Sinking Funds	21,900	9,000	9.000
Moyamensing Sinking Funds	29,400	15,000	16,500
Germantown Sinking Funds	22,300	10,000	10,700
Richmond Sinking Funds	4,500	1,000	2,700
Wills' Hospital	82,500	23,650	30,300
South Street Bridge Loan	999,700		
Held by non-residents	2,694,400	88,425	1,040,000
War Loans	11,650,000		
Totals	$28,019,500	$3,269,425	$6,035,200

Whole amount of six per cent. Loans which are free of tax to the holders, and the tax on which is assumed by the City		$51,122,500 00
Exemptions claimed		28,019,500 00
Six per cent. free Loan, taxable sum		$23,103,000 00
Whole amount of four per cent. Loan	$8,806,825 00	
Exemptions claimed	3,269,425 00	
Four per cent. Loan, taxable sum,		5,537,400 00
To be paid by City on free Loans, taxable sum		$28,640,400 00
Tax at two mills		$57,280 80
Old taxable six per cent. Loan	$9,102,050 00	
Old taxable five per cent. Loan	30,420 22	
	$9,132,470 22	
Exemptions claimed	6,035,200 00	
Taxable sum	$3,097,270 22	
Tax at two mills		*6,194 54
		$63,475 34
Deduct tax on $965,400, held by non residents, Dec. '80		1,930 80
Amount required for State tax		$61,544 54

JOSEPH J. MARTIN, *City Treasurer.*
By JOHN A. BELL, *Chief Clerk.*

June 2, 1881.

* This sum, $6,194.54, is retained by the bank from loan holders, being deducted from amount of interest due them, and the requisition of the bank is made for amount of interest due, less this sum.

AN ORDINANCE

To make an appropriation to pay the interest on the funded debt of the City of Philadelphia, falling due on the first day of July, 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of two million thirty-eight thousand nine hundred and eighty-three (2,038,983) dollars and fifty (50) cents be, and the same is, hereby appropriated to pay the interest on the funded debt of the City of Philadelphia, falling due on the first day of July, Anno Domini one thousand eight hundred and eighty-one, and the Farmers' and Mechanics' National Bank is hereby authorized and empowered to anticipate said payment. Warrants for the payment of said interest shall be drawn as follows: The Farmers' and Mechanics' National Bank shall present to the Mayor of the City of Philadelphia a list of loan holders, to be paid as aforesaid, the amount of principal of the debt owned by them, respectively, the rate and amount of interest accrued, the amount of the State tax to be deducted and retained, and the net sum due for interest, and at the foot of each list the Mayor shall add the following warrant:

MAYOR'S OFFICE.

Philadelphia, *1881.*

To the Farmers' and Mechanics'
National Bank.

Pay to the persons and corporations above named, the amounts respectively due to them, as above set forth, for interest on City debt.

Mayor of Philadelphia.

The said list shall be presented to the City Controller to be countersigned by him.

APPENDIX No. 115.

Philadelphia, June 2, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petitions and ordinances to authorize the grading of Thompson street, Twentieth street, and Ridge avenue, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	ALEX. REINSTINE,
U. C. SMITH,	JOHN L. GRIM,
CHAS. K. MERKLEE,	JAS. MORAN,
WM. R. GARDY,	CHAS. W. HENRY,
J. B. VAN DUSEN,	EDW. W. PATTON,
DAVID MULLEN,	HENRY GLASS,
J. K. CUMING,	A. ALBRIGHT.

AN ORDINANCE

To authorize the grading of Thompson street, Twentieth street, and Ridge avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to grade the following streets to the established grade of the City, viz.: Thompson street, from Taney street to Twenty-eighth street, in Twenty-ninth Ward, cost not to exceed five hundred and thirty-seven (537) dollars; Twentieth street, from Reed street to Dickinson street, in the Twenty-sixth Ward, cost not to exceed one hundred and twenty (120) dollars; Ridge avenue, from Gorgas lane to Prospect street, in the Twenty-first Ward, cost not to exceed two hundred (200) dollars: *Provided,* That said streets shall be first dedicated or properly opened, and that the owners of property fronting on said streets shall grade, curb, and pave their sidewalks: *And further provided,* That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

APPENDIX No. 116.

Philadelphia, June 2, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	ALEX. REINSTINE,
U. C. SMITH,	JOHN L. GRIM,
CHAS. K. MERKLEE,	JAMES MORAN,
WILLIAM R. GARDY,	CHAS. W. HENRY,
J. B. VAN DUSEN,	EDW. W. PATTON,
DAVID MULLEN,	HENRY GLASS,
J. K. CUMING,	A. ALBRIGHT.

AN ORDINANCE

To authorize the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, in the Fifteenth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to enter into a contract with a competent paver or pavers, for the paving of Spring Garden street, at the intersections of Seventeenth, Eighteenth, and Nineteenth streets, in the Fifteenth Ward, with Belgian blocks, cost not to exceed eight hundred (800) dollars. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided,* The Chief Commissioner of Highways first advertise for proposals for paving said streets, and award the contract to the lowest bidder.

APPENDIX No. 117.

Philadelphia, June 2, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to amend an ordinance entitled "An Ordinance to authorize the grading of Cinnaminson avenue, in the Twenty-first Ward," respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	CHAS. W. HENRY,
ALEX. REINSTINE,	J. B. VAN DUSEN,
U. C. SMITH,	EDW. W. PATTON,
JNO. L. GRIM,	DAVID MULLEN,
CHAS. K. MERKLEE,	HENRY GLASS,
JAMES MORAN,	J. K. CUMING,
WILLIAM R. GARDY,	A. ALBRIGHT.

AN ORDINANCE

To amend an ordinance entitled "An Ordinance to authorize the grading of Cinnaminson avenue, in the Twenty first Ward."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the ordinance entitled "An Ordinance to authorize the grading of Cinnaminson avenue, in the twenty-first Ward," approved June 23, 1876, be so amended as to read "Cinnaminson or Parker avenue," and in lieu of the words "Two thousand seven hundred and sixty-two (2,762) dollars and twenty-five (25) cents," it read "Three thousand three hundred and four (3,304) dollars and orty-three (43) cents."

APPENDIX No. 118.

Philadelphia, June 2, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance supplementary to an ordinance entitled "An Ordinance to authorize the opening of Beach street, from Otis to Rush street, in the Eighteenth Ward," approved December 8, 1880, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its adoption.

DAVID WALLACE, *Ch'n*,	WILLIAM R. GARDY,
JAS. MORAN,	ALEX. REINSTINE,
A. ALBRIGHT,	DAVID MULLEN,
EDW. W. PATTON,	U. C. SMITH,
J. K. CUMING,	HENRY GLASS,
JOHN L. GRIM,	CHAS. K. MERKLEE,
CHARLES W. HENRY,	J. B. VAN DUSEN.

AN ORDINANCE

Supplementary to an ordinance entitled "An Ordinance to authorize the opening of Beach street, from Otis to Rush street, in the Eighteenth Ward," approved December 8, 1880.

WHEREAS, The first proviso in said ordinance prohibits any legal action being taken by the City for the opening of said Beach street, while the second proviso protects the City from any costs incident to the opening of said street, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the first proviso in said ordinance, in the following words: "*Provided*, The owners of the land or property taken to be used in opening said street first dedicate the same to the City," be stricken out, and in the second proviso the words "and dedication," be stricken out.

APPENDIX No. 119.

Philadelphia, June 2, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petitions and ordinances to authorize the paving of Twenty-fifth street, Myrtle street, and Wabash avenue, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	ALEX. REINSTINE,
U. C. SMITH,	JOHN L. GRIM,
CHAS. K. MERKLEE,	JAMES MORAN,
WILLIAM R. GARDY,	CHAS. W. HENRY,
J. B. VAN DUSEN,	EDW. W. PATTON,
DAVID MULLEN,	HENRY GLASS,
J. K. CUMING,	A. ALBRIGHT.

AN ORDINANCE

To authorize the paving of Twenty-fifth street, Myrtle street, and Wabash avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief Commissioner of Highways be, and is, hereby authorized and directed to enter into a contract with a competent paver or pavers for the paving of Twenty-fifth street, from Brown street to Poplar street, in the Fifteenth Ward, with cobble pavement, no cost for intersections. Myrtle street, from Forty-second street to Lancaster avenue, in the Twenty-fourth Ward, with cobble pavement, cost on intersections not to exceed two hundred and thirty-five (235) dollars. Wabash avenue, from Green lane to Centre street, in the Twenty-first Ward, with rubble pavement, no cost for intersections. The conditions of which contract shall be, that the contractor or contractors shall collect the cost of said paving from the owners of property respectively fronting on said streets, and shall also enter into

an obligation to the City to keep said streets in good repair for three years after the paving is finished: *Provided*, Said streets are first dedicated or properly opened: *And provided*, The Chief Commissioner of Highways first advertise for proposals for paving said streets, and award the contract to the lowest bidder, and that the owners of property fronting on said streets shall not be charged more than the contract price.

APPENDIX No. 120.

Philadelphia, June 2, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Police, to whom was referred an ordinance entitled "An Ordinance authorizing the construction of a bridge across Water street, south of Walnut street," respectfully report that they have considered the same, and recommend its passage.

CHAS. W. HENRY, *Ch'n*,	W. ELLWOOD ROWAN,
RICHARD PETERSON,	JOHN SIMMONS,
WILLIAM MCMULLEN,	A. ALBRIGHT,
JAS. EVANS,	JOHN G. BROOKE,
J. K. CUMING,	THOS. GREEN,
J. GORDON SHOWAKER,	EVAN JONES,
HENRY SCHNEIDER,	JOHN STEEN.

AN ORDINANCE

Authorizing the construction of a bridge across Water street, south of Walnut street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Pennsylvania Railroad Company be, and it is, hereby authorized to erect a bridge over and across Water street, at the distance of one hundred and seventy-two feet eight inches southward of the south line of Walnut street, for the purpose of providing a roadway communication with the upper story of their freight station, east of said Water street, from Front street, over

and upon the property of the said company, lying between Front and Water streets; said bridge to be constructed of iron, with inclosed sides, having a width of eighteen feet, and at such elevation as will give a clear headway of not less than twelve feet above the roadway of Water street at point of crossing: *Provided*, The said Pennsylvania Railroad Company shall enter into an agreement with the City of Philadelphia, to be approved by the City Solicitor, to maintain said structure in good order and repair, and save the City harmless from any damages or costs of any kind that may be incident to, or in any way grow out of, the erection of said structure: *Provided*, The said Pennsylvania Railroad Company first pay to the Clerks of Councils the sum of fifty (50) dollars for the publication of this ordinance.

APPENDIX No. 121.

Philadelphia, June 2, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Police, to whom was referred an ordinance entitled "An Ordinance to prevent the erection of bay and oriel windows," respectfully report that they have considered the same, and recommend its passage.

CHAS. W. HENRY, *Ch'n*,	W. ELLWOOD ROWAN,
RICHARD PETERSON,	JOHN SIMMONS,
WILLIAM MCMULLEN,	A. ALBRIGHT,
JAMES EVANS,	JOHN G. BROOKE,
J. K. CUMING,	THOS. GREEN,
J. GORDON SHOWAKER,	JOHN STEEN,
HENRY SCHNEIDER,	EVAN JONES.

AN ORDINANCE

To prevent the erection of bay and oriel windows.

WHEREAS various property owners have from time to time, in violation of law, erected, or caused to be erected, bay and oriel windows upon their premises, that project beyond the building line into the public highways; now, therefore,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That whenever it shall come to the knowledge of any of the Building Inspectors or police officers of the said City that any person or persons are erecting, or causing to be erected, or are about to erect, or cause to be erected, any bay or oriel window that shall project into the public highway beyond the building line, it shall be their duty to report the facts to the Mayor, who shall forthwith notify the City Solicitor thereof, and the City Solicitor shall thereupon take such steps, by injunction or otherwise, as may be proper to restrain such erection, or to cause the removal of the same if already erected, or in process of erection: *Provided,* That oriel windows be allowed on the side fronts or gables of houses.

SECT. 2. Any person who shall, after the passage of this ordinance, erect and maintain, or cause to be erected and maintained, any bay or oriel window that shall project into the public highway beyond the building line, without previous license for the same shall have been obtained from Councils, shall be subjected to a penalty of five hundred dollars, to be recoverable as debts of like amount are now recoverable, and such bay or oriel window shall be removed, as is hereinbefore provided.

APPENDIX No. 122.

Philadelphia, June 2, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Police, to whom was referred a resolution entitled "Resolution of request to the Building Inspectors, relative to frame buildings in the Twenty-fifth Ward," respectfully report that they referred the same to a Sub-Committee, whose report is hereto appended, and in accordance with said report, recommend that

the Committee be discharged from the further consideration of the resolution, and request the passage of the annexed resolution.

Chas. W. Henry, *Ch'n*,	John G. Brooke,
W. Ellwood Rowan,	Jno. K. Cuming,
Richard Peterson,	Thomas Green,
John Simmons,	J. Gordon Showaker,
William McMullen,	John Steen,
A. Albright,	Evan Jones,
James Evans,	Henry Schneider.

—

To the Committee on Police.

Gentlemen:—Your Sub-Committee, to whom was referred "Resolution of request to the Building Inspectors, relative to frame buildings in the Twenty-fifth Ward," respectfully report, that after consultation with the Building Inspectors relative to the said resolution, that the said buildings are built according to law, and recommend that a resolution be reported to Councils discharging the Committee from the further consideration of the subject.

Respectfully, yours,

Adam Albright, Henry Schneider,
Robert S. Leithead.

RESOLUTION

To discharge the Committee on Police from the further consideration of a resolution entitled "Resolution of request to the Building Inspectors, relative to frame buildings in the Twenty-fifth Ward."

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Police be, and is, hereby discharged from the further consideration of a resolution entitled "Resolution of request to the Building Inspectors, relative to frame buildings in the Twenty-fifth Ward."

APPENDIX No. 123.

Philadelphia, June 2, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Joint Special Committee, appointed in pursuance of resolution entitled "Resolution to appoint a Joint Special Committee to reorganize the Fire Department," respectfully report that they referred the subject to a Sub-Committee to prepare a suitable ordinance in reference to the same, and their report, with the ordinance, is hereto appended, which the Committee recommend the passage of.

J. DALLAS HALL, *Ch'n*, WM. B. IRVINE,
J. K. CUMING, F. HALTERMAN,
CHAS. W. HENRY, JOHN L. GRIM,
CHAS. F. ISEMINGER.

Philadelphia, June 2, 1881.

To the Chairman and Members
of the Special Committee on Fire Department.

The undersigned, members of the Sub-Committee, to whom was intrusted the preparation of an ordinance providing for the reorganization of the Fire Department, respectfully report that they have carefully considered the subject, and as a result of their deliberations present the ordinance hereto annexed, and recommend the Committee to report it to Councils with a favorable recommendation.

WM. B. IRVINE, *Ch'n*, J. K. CUMING,
JNO. L. GRIM.

SUPPLEMENT

To the ordinance entitled "An Ordinance to create and organize a Paid Fire Department for the City of Philadelphia," approved December 29, 1870.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That so much of the ordinance to create and organize a Paid Fire Department for the City of Philadelphia, and to make an appropriation therefor, approved December twenty-ninth (29), A. D. 1870, and the supplement thereto, as provides for the election of Fire Commissioners, be, and the same is, hereby repealed, and the present Board of Fire Commissioners is abolished from and after the first day of July, A. D. 1881.

SECT. 2. The Mayor of the City of Philadelphia shall, on the said first day of July, A. D. 1881, and every third year thereafter, and whenever a vacancy shall occur by death, resignation, removal by resolution of Councils, or otherwise, appoint a Superintendent of the Fire Department, who shall hold his office for the term of three years, or until his successor be chosen and duly qualified, unless he be sooner removed by a resolution of Councils, which said appointment shall be subject to the approval of and be confirmed by Select Council of the City of Philadelphia.

SECT. 3. The Mayor of the City of Philadelphia shall have the power to dismiss the said Superintendent for cause at any time, with or without notice.

SECT. 4. The salary of the Superintendent shall be four thousand five hundred (4,500) dollars per annum, and he shall have the full entire control and management of the said Fire Department, make all necessary rules and regulations relative thereto, appoint each and all of the employees thereof (subject to the advice and approval of Select Council), and shall exercise each and every power which is conferred upon the Fire Commissioners and the Chief-Engineer by the ordinance of December 29th, A. D. 1870, and supplements thereto.

SECT. 5. The employees of the said department, and those to be appointed by the Superintendent as aforesaid, shall be

those mentioned and designated in existing ordinances, and no more, and the qualifications of the said employees shall also be such as are required by the said existing laws.

SECT. 6. All contracts for supplies, or for leasing, purchasing, altering property or apparatus, and of every other kind whatsoever, shall be advertised for by the said Superintendent three times in two daily newspapers, and the contract awarded in accordance with the Act of Assembly, approved May 23, 1874, entitled "An Act dividing the Cities of this State into three classes": *Provided*, That all bids and proposals received in answer to the said advertisements shall be opened, and the contract awarded, in the presence of the said Superintendent and the proper Committee of Councils, as prescribed in an ordinance entitled "An Ordinance requiring all bids and proposals to the departments of the City to be opened in the presence of the Committee having supervision over them," approved July 5, 1877: *And further provided*, That the City Controller shall countersign no warrant upon the City Treasurer unless he shall have been furnished with the copy of the schedule of bids, the copy of the advertisement, and the statement of the award of the contract, endorsed by the proper Committee, as required by the ordinance entitled "An Ordinance touching the awarding of contracts and the countersigning of warrants," approved April 25, 1877. And warrants shall be drawn by the Superintendent.

SECT. 7. That the political party in the minority of the City of Philadelphia shall at all times be fairly and properly represented in the persons employed in said department, and no employee of said department shall be dismissed therefrom on account of political opinions.

SECT. 8. All ordinances or parts of ordinances inconsistent herewith be, and the same are, hereby repealed, especially the ordinance approved February 25, 1871.

APPENDIX No. 124.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, June 9, 1881.

To the President and Members of
Common Council of the City of Philadelphia.

GENTLEMEN:—I herewith inclose communication from the President of the Union Passenger Railway Company, relative to a matter of great importance to the City, to which I respectfully call your attention, and would request that it be read, and referred to the Committee on Finance.

Very respectfully,

WILLIAM BALDWIN,
Chief Commissioner of Highways.

—

OFFICE OF THE UNION PASSENGER RAILWAY CO.

Philadelphia, June 9, 1881.

WM. BALDWIN, ESQ.,
Chief Commissioner of Highways.

SIR:—The Directors of this Company have instructed me to offer to the City one-third the cost of paving Sansom street with Belgian blocks, providing the City pays the balance. The crowded condition of Chestnut street makes it a necessity that something should be done to relieve it, and what better way than making Sansom street as good a roadway as Chestnut street? Sansom street is already getting to be a great highway, and would be much more generally used if the cobble stones were removed. We will also make the same proposition for Filbert street, from Twentieth to Seventh; Jayne street, from Sixth to Seventh; Seventh and Ninth streets, from Walnut to Vine.

Respectfully,

W. H. KEMBLE,
President.

APPENDIX No. 125.

Department of Highways, Bridges, and Sewers.

Philadelphia, June 9, 1881.

To the Presidents and Members
of Select and Common Councils.

Gentlemen:—Inclosed please find statement to June 1st of the expenditures of this Department.

Very respectfully,
WILLIAM BALDWIN,
Chief Commissioner of Highways.

Condition of the appropriation of the Department of Highways, June 1, 1881.

For	Appropriat'n	Expended.	Balance.
Items.			
1. Salaries	$25,215 00	$10,047 31	$15,167 49
2. Intersections	15,000 00	112 71	14,887 29
3. Repairing paved streets	28,094 46	2,031 60	26,062 86
4. Repairing meadow banks	500 00	249 00	251 00
5. Repairing unpaved streets	20,000 00	361 38	19,638 62
6. Grading	8,954 59	3,664 84	5,289 75
7. Repairing and rebuilding bridges	17,140 00	20 00	17,120 00
8. Repairing sewers and inlets and cleaning	16,000 00	.....	16,000 00
9. Printing, stationery, and advertising	4,000 00	2,480 29	1,519 71
10. Insurance on bridges	2,000 00	250 00	1,750 00
11. Office and yard expenses	7,000 00	2,851 08	4,148 92
12. Incidental expenses	1,750 00	395 79	1,354 21
13. Street index boards	500 00	.....	500 00
14. Repairing passenger railway streets	3,000 00	78 00	2,922 00
15. Salaries of bridge watchmen	16,770 00	6,867 67	9,902 33
16. Repairing footways	2,000 00	40 50	1,959 50
17. Constructing branch sewers	3,500 00	778 16	2,721 84
18. Crossing stone	15,000 00	453 42	14,546 58
19. Work and material City railroad	500 00	289 42	210 58
20. Constructing new inlets	1,000 00	387 80	612 20
21. Carriage hire and keep of horse C. C. of H	1,000 00	250 00	750 00
22. Lighting Girard avenue bridge	1,500 00	1,460 42	39 58
23. Coal oil & engineer's stores Penrose Ferry bridge	1,500 00	337 94	1,162 06
24. Constructing main sewers	50,000 00	367 51	49,632 49
25. Work, labor, etc., furnished prior to 1881	12,000 00	11,902 39	97 61
25½. Paving market plots South Eleventh street	3,000 00	.....	3,000 00
26. Removing tracks, grading and paving Market st	42,000 00	.....	42,000 00
27. Grading and macadamizing Weccacoe avenue	3,500 00	.....	3,500 00
Totals	$302,424 05	$45,677 23	$256,746 82

APPENDIX No. 126.

RESOLUTION

To appoint a Committee of Investigation.

WHEREAS, It has been stated by one John S. Serrill, a resident of the Twentieth Ward of this City, that certain pecuniary demands were made upon him by Stephen Herse, a member of Common Council from the Twenty-ninth Ward, for the purpose of corruptly soliciting the votes of members in his behalf, and that he sent a sum of money to the said Herse for that purpose.

AND WHEREAS, The names of certain other members of this Chamber have been connected with the corrupt attempt to extort money for their votes and influence.

Therefore resolved by the Common Council of the City of Philadelphia, That a committee of five members be appointed to meet at once, to make a full and searching investigation of the statements and charges made by any one, against any members of this Chamber, in this matter.

Resolved, That the District Attorney be requested to take such official notice of the matter as shall lead to the conviction of the guilty ones, and thereby promote the best interests of the community.

APPENDIX No. 127.

OFFICE OF THE MAYOR.

Philadelphia, June 9, 1881.

To the Common Council
of the City of Philadelphia.

GENTLEMEN:—I herewith return without my approval an ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward.

The ordinance purposes to reduce the width of the street named from forty to thirty-seven feet; to this I cannot assent.

I am, very respectfully,

SAMUEL G. KING,
Mayor of Philadelphia.

APPENDIX No. 128.

RESOLUTION

To inquire into the right of a certain person to hold a seat in Council.

WHEREAS, It has been alleged that Wm. Gallagher, of the Twenty-sixth Ward, has removed from said ward, and by said removal is not entitled to a seat in this chamber, therefore

Resolved, That a committee of five be appointed to inquire into the facts, and report same to Council at next meeting.

APPENDIX No. 129.

RESOLUTION

Of request to the Governor of the State of Pennsylvania not to sign a certain bill.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Governor of the State of Pennsylvania be requested to withhold his signature from the bill passed by the Senate and House of Representatives entitled "An Act to repeal an Act authorizing the Clerks of Markets to weigh butter, etc."

APPENDIX No. 130.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize

a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
WM. B. IRVINE,
JOHN BARDSLEY,
F. HALTERMAN,
THOS. M. HAMMETT,
JNO. A. HOUSEMAN,
JAS. R. GATES,
JAMES L. MILES,
CHAS. F. ISEMINGER,
WALTER E. REX,
DAVID WALLACE,
OLIVER PARKER,
JOHN MCCULLOUGH,
GEORGE R. SNOWDEN,
JOHN C. BICKEL,
G. W. BUMM.

AN ORDINANCE

To authorize a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and he is, hereby authorized and directed to make the following transfers in the annual appropriation to the Department for Supplying the City with Water for 1881, to wit: From Item 20, for labor in laying pipes, setting and fitting plugs, one thousand (1,000) dollars, to Item 11, for books, stationery, advertising, printing, and posting; from Item 20, for labor in laying pipes, etc., one thousand (1,000) dollars, to Item 14, for tallow and oil, and oil for light at works.

APPENDIX No. 131.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize the Mayor to enter into a contract with the Peerless Brick

Company, for furnishing terra cotta cornices and special buff bricks, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
CHAS. F. ISEMINGER,
JOHN MCCULLOUGH,
JOHN A. HOUSEMAN,
F. HALTERMAN,
OLIVER PARKER,
THOS. M. HAMMETT,
JAMES L. MILES,
JAS. R. GATES,
DAVID WALLACE,
WM. B. IRVINE,
JOHN BARDSLEY,
GEORGE R. SNOWDEN,
WALTER E. REX,
JOHN C. BICKEL,
GEO. W. BUMM.

AN ORDINANCE

To authorize the Mayor to enter into a contract with the Peerless Brick Company, for furnishing terra cotta cornices and special buff bricks.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Mayor be, and he is, hereby authorized to enter into a contract with the Peerless Brick Company, for furnishing terra cotta cornices and special buff bricks, as follows: Three cornices, eleven feet long; one, thirteen feet long; and six, four feet long, each with two returns and twenty-one inches deep, for the sum of five hundred and eighty-four (584) dollars and fifty (50) cents; for two hundred lineal feet, twelve inches deep, for the sum of four hundred and sixty-five (465) dollars and fifty (50) cents, and for special buff bricks for the sum of thirty-five (35) dollars per hundred. The cornices and bricks to be in accordance with the plans, specifications, and conditions of the Department for Supplying the City with Water. The contract to be first approved by the Chief-Engineer of said Department.

APPENDIX No. 132.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered a communication from the Board of Health for an appropriation of $10,000 for public vaccination, and $8,400 for purposes of Municipal Hospital, and submit the annexed ordinance to authorize certain transfers for the purposes of the Municipal Hospital, and recommend its passage.

HENRY CLAY, *Ch'n*,
CHAS. F. ISEMINGER,
JAMES L. MILES,
G. W. BUMM,
WM. B. IRVINE,
WALTER E. REX,
JOHN BARDSLEY,
DAVID WALLACE,
F. HALTERMAN,
OLIVER PARKER,
THOS. M. HAMMETT,
JOHN MCCULLOUGH,
JOHN A. HOUSEMAN,
GEORGE R. SNOWDEN,
JOHN C. BICKEL.

AN ORDINANCE

To authorize certain transfers from the annual appropriations to the Department of City Commissioners, Department of Highways, Inspectors, of County Prison, and to Board of Health for the year 1881, to the annual appropriation to the Board of Health for the same year.

SECTION 1. *The Select and Common Councils of the Cit of Philadelphia do ordain,* That the City Controller be authorized and directed to make the following transfers, viz.: From Item 19, to pay inspectors of the Eastern Penitentiary, three thousand nine hundred (3,900) dollars; from Item 24, to pay assessors, four hundred (400) dollars, in the annual appropriation to the Department of City Commissioners for the year 1881; from Item 2, for paving intersections of streets, six hundred (600) dollars, in the annual appropriation to the Department of Highways for said year; from Item 27, for New County Prison, two thousand (2,000) dollars, in the annual appropriation to the Inspectors of County Prison for said year; and from Item

46, for pay of contractors for cleaning streets, etc. (Third District), five hundred (500) dollars, in the annual appropriation to the Board of Health for said year; in all seven thousand four hundred (7,400) dollars, to the following items in the annual appropriation to the Board of Health for said year (Municipal Hospital), viz.: To Item 35, for salaries of male nurses, one thousand two hundred (1,200) dollars; to Item 36, for salaries of female nurses, nine hundred (900) dollars; to Item 38, for board and washing of patients, nurses, and officers, two thousand five hundred (2,500) dollars; to Item 40, for fuel, lights, brushes, soap, cleaning, and incidental supplies, eight hundred (800) dollars; to Item 41, for drugs, coffins, and burial expenses, one thousand (1,000) dollars; to Item 44, for the purchase of horses, vehicles, and harness, and keep of and repairs to the same, seven hundred and fifty (750) dollars; to Item 45, for insurance and general improvement, and repairs to buildings, grounds, and appurtenances, including the maintenance of a telephone, two hundred and fifty (250) dollars.

APPENDIX No. 133.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered a communication from the Trustees of the City Ice Boats, for an appropriation of $30,000 to repair Ice Boat No. 1, and on the recommendation of the Sub-Committee, whose report is hereto appended, submit the annexed ordinance to authorize certain transfers for the purpose, and recommend its passage.

HENRY CLAY, *Ch'n*,	CHAS. F. ISEMINGER,
WM. B. IRVINE,	WALTER E. REX,
JOHN BARDSLEY,	DAVID WALLACE,
F. HALTERMAN,	OLIVER PARKER,
THOS. M. HAMMETT,	JOHN MCCULLOUGH,
JNO. A. HOUSEMAN,	GEORGE R. SNOWDEN,
JAS. R. GATES,	JOHN C. BICKEL,
JAMES L. MILES,	G. W. BUMM.

Philadelphia, June 1, 1881.

To the Committee on Finance.

The Sub-Committee on Finance, to whom was referred communications from the Trustees of the City Ice Boats for an appropriation of $30,000 to repair City Ice Boat No. 1, respectfully report that they have considered the same, and recommend that transfers be made to Item 1, annual appropriation to Trustees of City Ice Boats for 1881, as follows:

From the annual appropriation to City Commissioners for the year 1881, Items 5, 6, 7, and 8,	$2,000
From Item 23,	1,000
Transfers from the annual appropriation to Department of Police of 1879, for relief of disabled policemen,	5,000
From Item 27, of the appropriation to Inspectors of County Prison,	20,000
Transfers in all,	$28,000
An appropriation,	2,000
	$30,000

All of which is respectfully submitted.

WM. B. IRVINE, *Ch'n*, JOHN MCCULLOUGH,
JOHN BARDSLEY, CHAS. F. ISEMINGER.

AN ORDINANCE

To make an appropriation to the Trustees of the City Ice Boats for the repair of City Ice Boat No. 1, and to authorize certain transfers from the annual appropriations of the Department of City Commissioners and Inspectors of the County Prison for the year 1881, and Department of Police for the year 1879, to the annual appropriation to the Trustees of the City Ice Boats for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the sum of two thousand (2,000) dollars be, and the same is, hereby appropriated to Item 1, for repairs and equipments to boats and machinery, in the annual appropriation to the Trustees of the City Ice Boats for the year 1881.

SECT. 2. The City Controller be, and he is, hereby authorized and directed to make the following transfers, viz.: From Item 5, to pay jurors of the Court of Common Pleas, No. 1, five hundred (500) dollars; from Item 6, to pay jurors of the Court of Common Pleas, No. 2, five hundred (500) dollars; from Item 7, to pay jurors of the Court of Common Pleas, No. 3, five hundred (500) dollars; from Item 8, to pay jurors of the Court of Common Pleas, No. 8, five hundred (500) dollars; from Item 23, to pay for stationery, blanks, printing, etc., for elections of 1881, one thousand (1,000) dollars in the annual appropriation to the Department of City Commissioners for the year 1881; from Item 36, for relief of incapacitated members of the Department of Police, five thousand (5,000) dollars in the annual appropriation to the Department of Police for the year 1879; and twenty thousand (20,000) dollars from Item 27, for new County Prison in the annual appropriation to the Inspectors of the County Prison for the year 1881; in all, twenty-eight thousand (28,000) dollars, to Item 1, for repairs and equipments to boats and machinery in the annual appropriation to the Trustees of the City Ice Boats for the year 1881.

APPENDIX No. 134.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize satisfaction to be entered on the official bond of Robert E. Pattison, City Controller, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	CHAS. F. ISEMINGER,
WM. B. IRVINE,	WALTER E. REX,
JOHN BARDSLEY,	DAVID WALLACE,
F. HALTERMAN,	OLIVER PARKER,
THOS. M. HAMMETT,	JOHN MCCULLOUGH,
JNO. A. HOUSEMAN,	GEORGE R. SNOWDEN,
JAS. R. GATES,	JOHN C. BICKEL,
JAMES L. MILES,	G. W. BUMM.

AN ORDINANCE

To authorize satisfaction to be entered on the official bond of Robert E. Pattison, City Controller.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Solicitor be, and he is, hereby instructed to enter satisfaction of record upon the official bond of Robert E. Pattison [Common Pleas, No. 3, December Term, 1877, No. 789], City Controller, for his term ending January 2, 1881: *Provided,* That the said Robert E. Pattison has entered the requisite security for his present term of office, commencing January 3, 1881.

APPENDIX No. 135.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance to authorize certain transfers in the annual appropriation to the Law Department for the year 1881, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n,*
CHAS. F. ISEMINGER,
W. B. IRVINE,
WALTER E. REX,
JOHN BARDSLEY,
DAVID WALLACE,
F. HALTERMAN,
OLIVER PARKER,
THOS. M. HAMMETT,
JOHN MCCULLOUGH,
JNO. A. HOUSEMAN,
GEORGE R. SNOWDEN,
JAS. R. GATES,
JOHN C. BICKEL,
JAMES L. MILES,
G. W. BUMM.

AN ORDINANCE

To authorize certain transfers in the annual appropriation to the Law Department for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be, and

he is, hereby authorized and directed to make the following transfers in the annual appropriation to the Law Department for the year 1881, viz.:

From Item 2, Prothonotary's costs, the sum of two hundred (200) dollars, to Item 7, miscellaneous expenses.

From Item 11, experts' and witness's fees, two hundred and fifty (250) dollars, to Item 4, blank books, stationery, paper books, and blanks.

APPENDIX No. 136.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance authorizing the Register of Wills to appoint two additional miscellaneous and index clerks, and report the same back with a negative recommendation, and request the passage of the annexed resolution.

HENRY CLAY, *Ch'n*,	THOS. M. HAMMETT,
CHAS. F. ISEMINGER,	JOHN MCCULLOUGH,
WM. B. IRVINE,	JNO. A. HOUSEMAN,
WALTER E. REX,	GEORGE R. SNOWDEN,
DAVID WALLACE,	JAS. R. GATES,
F. HALTERMAN,	JOHN C. BICKEL,
OLIVER PARKER,	JAMES L. MILES,

G. W. BUMM.

RESOLUTION

To discharge the Committee on Finance from the consideration of an ordinance authorizing the Register of Wills to appoint two additional clerks.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Finance be discharged from the further consideration of bill entitled "An Ordinance authorizing the Register of Wills to appoint two additional miscellaneous and index clerks."

APPENDIX No. 137.

Philadelphia, June 9, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinance to authorize the grading of Gowen avenue, from Sprague street to Stenton avenue, in the Twenty-second Ward, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,
CHAS. W. HENRY,
ALEX. REINSTINE,
JOHN S. DAVIS,
HUGH COPELAND,
JAS. EVANS,
WILLIAM R. GARDY,
J. RAYMOND CLAGHORN,
A. ALBRIGHT,
DAVID MULLEN,
HENRY GLASS,
J. K. CUMING,
EDW. W. PATTON.

AN ORDINANCE

To authorize the grading of Gowen avenue, from Sprague street to Stenton avenue, in the Twenty-second Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to grade the following streets to the established grade of the City, viz.: Gowen avenue, from Sprague street to Stenton avenue, in the Twenty-second Ward, cost not to exceed twelve hundred (1,200) dollars: *Provided,* That said streets shall be first dedicated or properly opened, and that the owners of property fronting on said streets shall grade, curb, and pave their sidewalks: *And further provided,* That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

APPENDIX No. 138.

Philadelphia, June 9, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petitions and ordinances to authorize the grading of Johnson and Kalos streets and Manayunk avenue, respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	WILLIAM R. GARDY,
CHAS. W. HENRY,	J. RAYMOND CLAGHORN,
ALEX. REINSTINE,	A. ALBRIGHT,
JOHN S. DAVIS,	DAVID MULLEN,
HUGH COPELAND,	HENRY GLASS,
JAMES EVANS,	J. K. CUMING,

EDW. W. PATTON.

AN ORDINANCE

To authorize the grading of Johnson and Kalos streets and Manayunk avenue.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to grade the following streets to the established grade of the City, viz.: Johnson street, from Musgrove street to Chew street, in the Twenty-second Ward, cost not to exceed two hundred (200) dollars. Kalos street (or Woodvale terrace), from Ridge avenue to Righter street, in the Twenty-first Ward, cost not to exceed one hundred and eighty-nine (189) dollars. Manayunk avenue, from Sumac street to Osborn street, in the Twenty-first Ward, cost not to exceed four hundred and twenty-nine (429) dollars: *Provided,* That said streets shall be first dedicated or properly opened, and that the owners of property fronting on said streets shall grade, curb, and pave their sidewalks: *And further provided,* That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

APPENDIX No. 139.

Philadelphia, June 9, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the opening of Tucker street, from Tacony to James street, in the Twenty-third Ward, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,
CHAS. W. HENRY,
ALEX. REINSTINE,
JOHN S. DAVIS,
HUGH COPELAND,
JAS. EVANS,
WILLIAM R. GARDY,
J. RAYMOND CLAGHORN,
A. ALBRIGHT,
DAVID MULLEN,
HENRY GLASS,
J. K. CUMING,
EDW. W. PATTON.

AN ORDINANCE.

To authorize the opening of Tucker street, from Tacony to James street, in the Twenty third Ward,

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief Commissioner of Highways be, and is, hereby authorized and directed to notify the owners of property over and through which Tucker street, from Tacony street to James street, in the Twenty-third Ward, will pass, that at the expiration of three months from the date of said notice said street will be required for public use: *Provided*, The owners of property in the vicinity of said street first file a satisfactory bond with the City Solicitor, indemnifying the City against any loss from the opening of said street.

APPENDIX No. 140.

Department of Surveys.

Philadelphia, June 7, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinances and petitions for sewers in various localities of the City, beg leave to report, that they have been referred to and examined by the Board of Surveyors, who recommend and approve their construction. From the statements of the Board we find that their aggregate length will be 5,929 feet, costing to the property owners upon their lines $16,115, which, it is estimated, will more than pay for the construction. We herewith submit an ordinance, and respectfully ask its approval.

Walter E. Rex, *Ch'n*, Jas. Donaldson,
A. Atwood Grace, John Carpenter,
S. A. Miller, Chas. E. Webster,
Geo. W. Hetrick, Jas. R. Gates,
Edw. W. Patton, David Mullen,
Jas. L. Miles, John G. Brooke,
Francis Martin, Dan'l Schellinger,
Jas. Evans.

AN ORDINANCE

To authorize the construction of sewers on Sixth, St. Mary, Pine, Twelfth, Myrtle, Sixty-third, Mutter, Waldron, Marston, Stiles, Warnock, Darien, and Seventeenth streets.

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Highways be, and is, hereby authorized to construct the following sewers, viz.:

On Sixth street, connecting with the sewer at Lombard street, and extending southward to St. Mary street; thence westward on St. Mary street to the east line of Seventh street.

On Pine street, from Sixth street to the summit in said Pine street, between Sixth and Seventh streets.

On Twelfth street, from Parrish to Myrtle street; thence on Myrtle street, from Twelfth to Thirteenth street.

On Sixty third street, from sewer in Market street to south line of Vine street, with well-hole at Market street.

On Mutter street, from a point fifty-four feet south from the south line of Norris street to the sewer in Berks street.

On Waldron street, from the sewer in Twenty-eighth street to the west curb line of Twenty-seventh street.

On Marston street, from the sewer in Oxford street to the north curb line of Jefferson street.

On Stiles street, from the sewer in Fifteenth street to the east curb line of Sixteenth street.

On Warnock street, from the sewer in Thompson street to the north curb line of Girard avenue.

On Darien street, from the sewer in Poplar street to sewer in Girard avenue.

On Seventeenth street, from Ontario street to a point 100 feet north of said Ontario street.

Each with a clear inside diameter of three feet. Said sewers to be built of brick, circular in shape, and in accordance with specifications prepared by the Chief-Engineer and Surveyor.

SECT. 2. The Chief Commissioner of Highways shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest bidders, and it shall be a condition of the contracts that the contractor shall keep the said sewers, and that portion of the street along which the said sewers shall be laid, in good order and repair for three years from and after the date of the completion of the said sewers, and shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment, in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Commissioner of Highways to draw warrants for street intersections, manholes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Highways for the year 1881.

APPENDIX No. 141.

Philadelphia, June 8, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to construct a sewer on Market street, between the Public Buildings and the River Schuylkill, beg leave to report, that public sewers already exist from the Schuylkill eastward to Twenty-second street, and that, with the exception of Twentieth street, the intersecting streets have sewers into which inlets at the corners convey the surface water; there remains only the house drainage to be provided for, which should be done in advance of the repaving of the street. As the street is wide, the Board of Surveys deem it best to lay sewers on each side to avoid expense to those draining their properties, and to prevent long excavations across the street; for this purpose, twelve-inch sewers will be sufficient; an ordinance prepared for their construction is herewith submitted for your consideration.

WALTER E. REX, *Ch'n*,	EDW. W. PATTON,
JAS. DONALDSON,	DAVID MULLEN,
A. ATWOOD GRACE,	JAMES L. MILES,
JOHN CARPENTER,	JOHN G. BROOKE,
S. A. MILLER,	JAS. EVANS,
CHARLES E. WEBSTER,	FRANCIS MARTIN,
JAS. R. GATES,	DANIEL SCHELLINGER.

AN ORDINANCE

To authorize the construction of sewers on Market street, between Merrick street and Twenty-second street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Highways be, and is, hereby authorized to construct the following sewers:

On both sides of Market street, between the following points, viz.: From the sewer at Twenty-second street to

Twenty-first street; from the sewer at Twenty-first street to Nineteenth street; from the sewer at Nineteenth street to Eighteenth street; from the sewer at Eighteenth street to Seventeenth street; from the sewer at Seventeenth street, on the north side of Market street, to Sixteenth street, and on the south side of Market street to a point three hundred feet east of Seventeenth street; and on the south side only from the sewer at Sixteenth street to Fifteenth street; and from the sewer at Fifteenth street to Merrick street. Said sewers to be constructed of twelve-inch vitrified drain pipes, circular in shape, and in accordance with specifications prepared by the Chief-Engineer and Surveyor.

SECT. 2. The Chief Commissioner of Highways shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest bidders, and it shall be a condition of said contract that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance, entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment, in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Commissioner of Highways to draw warrants for street intersections, manholes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to Item (for branch sewers) of annual appropriation made to the Department of Highways for the year 1881: *Provided,* said excess does not exceed the sum of four hundred (400) dollars.

APPENDIX No. 142.

Department of Surveys.

Philadelphia, June 7, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to authorize a revision of the lines of Seventy-first street, in the Twenty-fourth Ward, beg leave to report, that the passage of this ordinance will authorize the laying out of Seventy-first street, in a straight line from Seventy-first and Jefferson streets, on the eastward to Smith street, and Haverford street on the west.

The new line will conform more nearly to the natural slopes, and the opening of the street will be attended with less cost. Your Committee, therefore, return the ordinance with a favorable recommendation.

Walter E. Rex, *Ch'n*,	Edw. W. Patton,
Jas. Donaldson,	David Mullen,
John Carpenter,	James L. Miles,
S. A. Miller,	John G. Brooke,
Charles E. Webster,	Francis Martin,
Geo. W. Hetrick,	Jas. Evans,
Jas. R. Gates,	Dan'l Schellinger.

AN ORDINANCE

To authorize the revision of the lines of Seventy-first street on the plans of the City of Philadelphia.

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Board of Surveys be, and they are, hereby authorized to revise and change the lines of Seventy-first street, late Oxford street, betwen Jefferson street, now Valley street, and Haverford street, in the Twenty-fourth Ward of the City of Philadelphia.

APPENDIX No. 143.

RESOLUTION

Relative to an ordinance to provide for the inspection of the construction of branch sewers.

Resolved by the Select and Common Councils of the City of Philadelphia, That a Joint Special Committee of five members from each chamber be appointed to consider an ordinance to provide for the inspection of the construction of branch sewers, and that the Committee on Surveys and Regulations be discharged from the further consideration of the same.

APPENDIX No. 144.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Police, to whom was referred an ordinance to grant permission to The Keystone Horseshoe Company to erect a frame building, covered with sheet iron, on east side of Richmond street, opposite Ash street, and adjoining Gunner's run, Eighteenth Ward, respectfully report that they have considered the same, and report it back to Councils, with a favorable recommendation.

CHAS. W. HENRY, *Ch'n*,
JOHN STEEN,
B. J. CARLIN,
JOHN SIMMONS,
EVAN JONES,
GEORGE RONEY,
GEORGE R. SNOWDEN,
DAVID MULLEN.
HENRY SCHNEIDER,
J. GORDON SHOWAKER,
RICHARD PETERSON,
W. ELLWOOD ROWAN,
ROBERT S. LEITHEAD,
OLIVER PARKER,
WILLIAM MCMULLEN,
J. K. CUMING.

AN ORDINANCE

To authorize The Keystone Horseshoe Company to erect a one-story frame building, to be covered with sheet iron, on the east side of Richmond, opposite Ash street, and adjoining Gunner's run, in the Eighteenth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That The Keystone Horseshoe Company be, and are, hereby authorized to erect a frame building or shed, covered with sheet iron, one-story in height and sixty-eight feet in breadth, and one hundred and forty feet in length, on the east side of Richmond street, adjoining Gunner's run, Eighteenth Ward:

Provided, That the said Keystone Horseshoe Company shall, at any time when Councils may by ordinance so direct, remove said building without any cost to the City:

And provided further, That the said Keystone Horseshoe Company shall first pay into the Treasury of the City of Philadelphia the sum of fifty (50) dollars to pay for the expense of advertising of this ordinance, according to law.

APPENDIX No. 145.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Police, to whom was referred an ordinance to provide for issuing licenses for the sale, within the corporate limits of the City of Philadelphia, of fire-crackers, torpedoes, toy pistols, and other similar articles used for firing salutes, etc., respectfully report that they have carefully considered and modified the same, and report it back to Councils, with a favorable recommendation.

CHAS. W. HENRY, *Chn,*
JOHN STEEN,
B. J. CARLIN,
JOHN SIMMONS,
EVAN JONES,
GEORGE RONEY,
WILLIAM MCMULLEN,
HENRY SCHNEIDER,
J. GORDON SHOWAKER,
RICHARD J. PETERSON,
W. ELLWOOD ROWAN,
ROBERT S. LEITHEAD,
OLIVER PARKER,
DAVID MULLEN,
J. K. CUMING.

AN ORDINANCE

To prohibit the sale, construction, and use, within the corporate limits of the City of Philadelphia, of toy pistols, devil's bombs, and other similar articles used for firing salutes, etc.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That no person or persons, firm, or corporation, shall vend, sell, or expose for sale, nor shall any person or persons use toy pistols, toy cannon, devil's bombs, or toys or small hand weapons of any character or description used for firing salutes for celebration purposes, and employing gunpowder, gun-cotton, fulminating powder, or other explosive material, in their construction, manufacture, or use, within the corporate limits of the City of Philadelphia.

SECT. 2. Any person or persons, firm or corporation, who shall vend, sell, or expose for sale, or construct any of the said articles, in violation of any of the provisions of section 1 of this ordinance, shall be subject to a penalty of one hundred (100) dollars for each and every offence; and any person or persons who shall use any of the said articles in violation of said section 1, shall be subject to a penalty of ten (10) dollars for each and every offence, said sums to be recovered as debts of like amount are now by law recoverable.

APPENDIX No. 146.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Police, to whom was referred an ordinance to grant permission to Isaac Fox to erect a temporary frame building and stable upon his premises, west side of Islington lane, between Twenty-fourth and Twenty-fifth streets, respectfully report that they referred

the same to a Sub-Committee, whose report is hereto appended, and report the same back to Councils, with a negative recommendation, and request the passage of the annexed resolution.

Chas. W. Henry, *Ch'n*,	W. Ellwood Rowan,
Henry Schneider,	John Steen,
J. Gordon Showaker,	B. J. Carlin,
Richard Peterson,	John Simmons,
Evan Jones,	Robert S. Leithead,
George Roney,	Oliver Parker,
William McMullen,	David Mullen,

J. K. Cuming.

RESOLUTION

To discharge the Committee on Police from the consideration of an ordinance entitled "An Ordinance to grant permission to Isaac Fox to erect a temporary frame building and stable upon his premises, west side of Islington lane, between Twenty-fourth and Twenty-fifth streets."

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Police be, and is, hereby discharged from the further consideration of an ordinance entitled "An Ordinance to grant permission to Isaac Fox to erect a temporary frame building and stable upon his premises, west side of Islington lane, between Twenty-fourth and Twenty-fifth streets."

APPENDIX No. 147.

Philadelphia, June 9, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—The Committee on Gas Works, to whom was referred sundry petitions, resolutions, and ordinances for changing the location of certain lamps, respectfully report

that they considered the same, and submit the annexed ordinance to change the location of public lamps, and recommend its passage.

S. C. Collins, *Ch'n*,
Francis Martin,
Jas. Evans,
John Flanagan,
Walter E. Rex,
John W. Durham,
E. B. Morris,
Wm. Holeman,
S. S. Hollingsworth,
Theodore D. Spear,
A. Albright,
Henry Glass,
Alonzo Shotwell.

AN ORDINANCE

To change the location of public lamps.

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Trustees of the Philadelphia Gas Works be, and are, hereby authorized and directed to change the location of public lamps located as follows:

First Ward—Change gas lamp from Seventh and Tree streets to southeast corner Tenth and Dudley streets; from Mountain street, below Eighth street, to opposite 710 Wilder street; from northwest corner Nineteenth and Wharton streets to northeast corner Twentieth and Wharton streets.

Twelfth Ward—Change gas lamp from Orchard street to Green street, above Fourth; from McGrath street to Fifth street above Willow, east side.

Nineteenth Ward—Change gas lamp from Susquehanna avenue and America street to northeast corner York and Orkney streets; from 2252 Mascher street to 2230 Bodine street; from 1711 Germantown avenue to 1713 Germantown avenue, in front of Cohocksink M. E. Church.

Twenty-first Ward—Change gas lamp from Martin street, between Mitchell street and Ridge avenue, to Lyceum avenue, west of Ridge avenue; from Green lane, west of Ridge avenue, to Green lane, in front of Central M. E. Church.

Twenty-fourth Ward—Change gas lamp from the northeast corner Seneca and Mica streets to southeast corner Westminister avenue and Garden streets; from the northwest corner Forty-eighth and Aspen streets to east side of Thirty-ninth street, above Market, at the Grand Army Hall; from southeast corner Sixty-third and Race streets to intersection of Lancaster avenue and Hamilton street; northeast corner Lancaster avenue, to southeast corner Hamilton street; from Sanders avenue, near Powelton avenue, to the north side of Hutton street, between Preston and Forty-first streets, in front of No. 4039.

Thirty-first Ward—Change gas lamp from northwest corner Loyal and Norris streets to northwest corner Moyer and Norris streets; from Moore street, between Coral and Emerald streets, to southwest corner Collins street and Lehigh avenue.

APPENDIX No. 148.

RESOLUTION

Of request to Rudolph Hering, Esq.

Resolved by the Select and Common Councils of the City of Philadelphia, That Rudolph Hering, Assistant Engineer of Department of Surveys, be requested to furnish Councils with a report embodying the principal results of his late visit to, and investigation of, European sewerage works; also stating the applicability of their best features to our own conditions and wants, and to make any suggestions that may present themselves towards improving the sewerage of the City.

APPENDIX No. 149.

RESOLUTION

Of request to the Mayor to return to Councils a certain bill.

Resolved by the Select and Common Councils of the City of Philadelphia, That his Honor, the Mayor, be, and he is, hereby respectfully requested to return to Select Council the bill entitled "An Ordinance to authorize the Chief-Engineer of the Department for supplying the City with water, to lay water pipe on Brown, Parrish, Twenty-first, Norwood, Coulter, and Rowan streets, Kershaw avenue, Downing, and Twentieth streets."

APPENDIX No. 150.

RESOLUTION

Of instruction to the Chief Commissioner of Highways, relative to repairs to Little Medina street.

WHEREAS, Little Medina street, between Seventh and Eighth streets, in the First Ward, is greatly in need of repair; therefore,

Resolved by the Common Council of the City of Philadelphia, That the Chief Commissioner of Highways be, and he is, hereby instructed to notify the contractor of First District to repair the same within fifteen days from the passage of this resolution, and in default thereof, to proceed and perform the same at the expense of said contractor.

APPENDIX No. 151.

Philadelphia, June 14, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinance to authorize the opening of Pollock street, from Moyamensing avenue to Rope Ferry road, in the Twenty-sixth Ward, respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,
JOHN A. HOUSEMAN,
JAS. EVANS,
FRANCIS MARTIN,
WILLIAM R. GARDY,
JOHN L. GRIM,
EDW. W. PATTON,
CHAS. W. HENRY,
CHAS. K. MERKLEE,
ALEX. REINSTINE,
J. RAYMOND CLAGHORN,
USELMA C. SMITH,
GEO. H. GRIFFITHS.

AN ORDINANCE

To authorize the opening of Pollock street, from Moyamensing avenue to Rope Ferry road, in the Twenty-sixth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief Commissioner of Highways be, and is, hereby authorized and directed to notify the owners of property over and through which Pollock street, from Moyamensing avenue to Rope Ferry road, in the Twenty-sixth Ward, will pass, that at the expiration of three months from the date of said notice, said street will be required for public use: *Provided*, The owners of property in the vicinity of said street first file a satisfactory bond with the City Solicitor, indemnifying the City against any damages arising from said opening: *And further provided*, That Moyamensing avenue, from said Pollock street to Rope Ferry road, be vacated so soon as the Pennsylvania Railroad Company, at its own expense, shall erect a bridge on the line of Rope Ferry road over said Pennsylvania Railroad.

APPENDIX No. 152.

Philadelphia, June 14, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENELEMEN:—We, your Committee on Highways, to whom was referred the petition and ordinance to authorize the opening of Carpenter street, from Twenty-third street to Gray's Ferry road, in the Thirtieth Ward, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,
JAS. EVANS,
WILLIAM R. GARDY,
EDW. W. PATTON,
CHAS. K. MERKLEE,
J. RAYMOND CLAGHORN,
JNO. A. HOUSEMAN,
FRANCIS MARTIN,
JOHN L. GRIM,
CHAS. W. HENRY,
ALEX. REINSTINE,
USELMA C. SMITH,
GEO. H. GRIFFITHS.

AN ORDINANCE

To authorize the opening of Carpenter street, from Twenty-third street to Gray's Ferry road, in the Thirtieth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to notify the owners of property over and through which Carpenter street, from Twenty third street to Gray's Ferry road, in the Thirtieth Ward, will pass, that at the expiration of three months from date of said notice, said street will be required for public use: *Provided,* The owners of property in the vicinity of said street first file a satisfactory bond with the City Solicitor, indemnifying the City against any damages from the opening of said street.

APPENDIX No. 153.

Philadelphia, June 14, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Prisons, to whom was referred the petition of Israel W. Durham, contractor for cleaning the streets in the Eighth and Tenth Districts of the City, for the month of December, 1880, praying for aid from your honorable bodies in procuring warrants withheld from him for said month, respectfully report that they held several meetings, and, after a careful examination of the Inspector's report for said month, and hearing the statements made by members of the Board of Health, your Committee are of the opinion that the Board of Health have no just cause for withholding warrants from said Israel W. Durham for the month of December, 1880, and respectfully request the passage of the annexed resolution.

JAMES MCCORMICK, *Ch'n*,	JAS. EVANS,
OLIVER PARKER,	JOHN CARPENTER,
J. A. BEAVER,	FRANCIS MARTIN,
JOHN SIMMONS,	WM. A. FOSTER,
ROBERT S. LEITHEAD,	DAVID MULLEN,
WILLIAM MCMULLEN,	THOS. GREEN,
GEO. H. MCCULLY,	PETER MONROE,
J. K. CUMING,	CHAS. K. SMITH.

RESOLUTION

Of request to the Board of Health to hand over to Israel W. Durham (contractor for cleaning the streets in the Eighth and Tenth Districts) warrants for the month of December 1880, withheld by them.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Board of Health be, and they are, hereby requested to hand over to Israel W. Durham, contractor for cleaning the streets in the Eighth and Tenth Districts, the warrants withheld by them for the month of December, 1880, inasmuch as it appears from the evidence in the Inspector's report that the contract was complied with so far as the weather permitted.

APPENDIX No. 154.

Philadelphia, June 14, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, beg leave to report, that the street will retain its present width, and the proposed change will enable the properties bounding upon it to be laid out to a greater advantage. By the provisions of the ordinance the City will be put to no cost by the change of lines; we therefore return it, and recommend your approval.

WALTER E. REX, *Ch'n*,
JAMES DONALDSON,
DAN'L W. GILBERT,
GEORGE W. CONRAD,
A. ATWOOD GRACE,
JAMES EVANS,
S. A. MILLER,
CHARLES E. WEBSTER,
FRANCIS MARTIN,
EDW. W. PATTON,
STEPHEN HERSE,
WILLIAM MCMULLEN,
JOHN CARPENTER,
JOHN A. HOUSEMAN.

AN ORDINANCE

To revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Department of Surveys be, and is, hereby authorized to prepare plans for a revision of the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward, so that the south line thereof shall be at the distance of 132 feet north of Oxford street, and parallel thereto, and that the said Turner street shall retain its present width of forty feet: *Provided*, That the ground within the lines of the street, as herein described, be first dedicated by the owners thereof as a street.

APPENDIX No. 155.

RESOLUTION

Relative to the resignation of William Gallagher.

WHEREAS, William Gallagher, a member of this Chamber, has tendered his resignation in consequence of pressing business, therefore be it

Resolved by the Common Council of the City of Philadelphia, That we, his colleagues, do hereby express our regret at his retirement from this body, and our affection and high esteem for him, who has ever been courteous and kind in all his relations with us; and we also express our admiration of the industry, integrity, and ability with which he has discharged the duties of Common Councilman of the City of Philadelphia.

Resolved, That the Clerk present to the said William Gallagher a copy of the above resolution, suitably engrossed and framed.

APPENDIX No. 156.

RESOLUTION

To appoint a Joint Special Committee to confer with the Board of Health in the matter of street cleansing.

Resolved by the Select and Common Councils of the City of Philadelphia, That a Joint Special Committee of five members from each Chamber be appointed for the purpose of conferring with the Board of Health, with the object of considering ways and means for cleansing the streets of the City of Philadelphia, the contractors in a number of the districts having refused to do any further work therein.

APPENDIX No. 157.

RESOLUTION

Of instruction to the City Solicitor to proceed against certain bidders.

Resolved by the Common Council of the City of Philadelphia, That the City Solicitor be instructed to collect the amount of proposal bonds given to the City by all bidders who have not complied with the condition of the bonds.

APPENDIX No. 158.

Philadelphia, June 16, 1881.

To the Common Council
of the City of Philadelphia.

GENTLEMEN:—Your Committee, appointed in pursuance of Resolution No. 126, entitled "Resolution to appoint a Committee of Investigation," beg leave to report that they have held two meetings, the first on June 13th, at 3.30 P. M., to organize and direct the proper notification of witnesses, and the second on June 15th, beginning at 10 A. M. and taking the entire day, for the hearing of parties who had

knowledge or could give information relating to the charges which were the subject of investigation.

Every opportunity was given to all persons interested to be heard, and it is believed that no known material witnesses failed to appear before your Committee.

They report:

1. That there was no evidence whatever to connect Messrs. Rex, Durham, and Donaldson with any wrongful or corrupt solicitation, and no evidence to subject Mr. Beaver to harsh criticism, and the reputations of all four of these gentlemen remain free from stain or reproach.

2. The evidence relating to the acts and conversations between Mr. Stephen Herse and Mr. John S. Serrill was, in many particulars, conflicting, and it was impossible to reconcile the sworn statements of these parties; but after an examination of all the allegations and testimony, the following facts appear to be practically undisputed:

Said John S. Serrill was unlawfully and wilfully engaged, on the 26th day of May last, in laying 12-inch drain pipe (he having authority to lay only 6-inch pipes) upon his premises at Ninth street and Susquehanna avenue, in the Twentieth Ward of this City. On that day Councilman Stephen Herse of the Twenty-ninth Ward, who is a member of the Committee on Surveys, but not a member of the Sub-Committee for the district in which said Serrill's property is located, voluntarily of his own motion went to the said property and examined the work then in operation. He handed his card, on which his name was printed as a member of Council, to a workman employed in laying the drain pipe, and left a message for Mr. Serrill to see him before going on further with the work.

On that afternoon Mr. Serrill placed and sealed twenty-five dollars in an envelope, which was not addressed, but left blank, and sent the same by his brother to Mr. Herse, who received the same in Common Council Chamber. The delivery of said money was intended to induce Mr. Herse not to oppose the laying down of said drain pipe.

On the evening of the same day Mr. Herse called upon Mr. Serrill, at the home of the latter, and returned the money to him.

On Saturday, May 28th, Mr. Herse called again at the premises, and said the 12-inch pipes must be taken up.

On the following Monday Mr. Serrill called at the place of business of Mr. Herse, and had an interview with him about the opposition to the size of the drain pipe, and Mr. Herse then looked at his card of Council's Committees and gave Mr. Serrill the names of members of the Survey Committee.

Afterwards, on June 6th, Mr. Herse, in company with Mr. D. W. Gilbert (of Select Council), met Mr. Serrill on Chestnut street, above Third, and it appeared that a letter from Mr. David H. Lane had been written to Mr. Herse, who said that the matter could be fixed without cost.

Mr. Herse left the City on June 7th, and requested Mr. D. W. Gilbert to oppose the laying of the drain in his absence.

At a meeting of the Committee on Surveys, held on June 7th, the matter was first openly made known by Mr. Grace, who had received his information from Mr. Serrill.

Prior to that meeting of the Committee on Surveys, Mr. Herse had communicated the fact of his receipt of the twenty-five dollars, and his return of the same, to only three members of Councils, to wit: Messrs. Beaver and Myers of Common Council, and Mr. Gilbert of Select Council, but had not made any public or formal avowal of the matter, and did not call the attention of the Committee on Surveys nor of Council to the fact that he had been corruptly solicited.

No intimate relations, either of business, politics, or friendship, existed between Mr. Herse and Mr. Serrill, and they were so far personally strangers to each other, that on the occasion of the meeting on the evening of May 26th, Mr. Herse introduced himself to Mr. Serrill.

Your Committee refrain from a discussion of the many contradictory allegations of the parties, but with pain and deep regret report these conclusions:

1. That said John S. Serrill attempted to bribe Stephen Herse, a member of Common Council, to assist in the violation of law, by laying drain pipes as hereinbefore stated.

2. That the conduct of said Stephen Herse, in his self-imposed examination of the said drain pipes; in seeking a personal interview with said John S. Serrill, and giving no notice of the infraction of law by said Serrill to the proper public officials; in receiving and temporarily holding the said bribe of twenty-five dollars; in his conferences with

said Serrill after the return of said sum; in his neglect to invoke any action before a magistrate, or by the proper Committee of Councils, or by Common Council; and in his effort to enlist the interest of Select Councilman Gilbert in opposition to the said drain pipe; render said Stephen Herse liable to the censure of Common Council, and expulsion therefrom.

This finding is, in the opinion of all the members of the Committee, the inevitable result of a careful consideration of the evidence.

The Committee suggest the adoption of the resolutions which are subjoined to this report, and recommend such further action in reference to the expulsion of Mr. Herse as Common Council may deem proper to take.

JOHN W. PATTON, *Ch'n*, WILLIAM R. GARDY,
EFFINGHAM B. MORRIS, JOHN SIMMONS,
CHARLES F. ISEMINGER, WM. HENRY LEX.

RESOLUTION

Relative to the alleged corrupt solicitation of members of Common Council.

Resolved by the Common Council of the City of Philadelphia, That a copy of the testimony taken, together with the names of the witnesses, and of the report of the Committee of Investigation, appointed in pursuance of the resolutions to be found in Common Council Appendix No. 126, Journal page 235, be referred to the District Attorney of the County of Philadelphia.

Resolved, That the Committee be discharged from the further consideration of the subject.

APPENDIX No. 159.

Philadelphia, June 16, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance specifically

appropriating Item 24 in the annual appropriation to the Department for Supplying the City with Water, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*, DAVID WALLACE,
JOHN MCCULLOUGH, GEORGE R. SNOWDEN,
JOHN C. BICKEL, JAMES R. GATES,
OLIVER PARKER, S. C. COLLINS,
THOMAS GREEN, THOS. M. HAMMETT,
WILLIAM B. IRVINE, WALTER E. REX,
A. A. CATANACH, J. W. PATTON,
CHAS. F. ISEMINGER.

AN ORDINANCE

Specifically appropriating Item 24 in the annual appropriation to the Department for Supplying the City with Water.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That Item 24 "For the further extension of the Water Works, subject to more specific appropriation by future ordinances, eighty thousand (80,000) dollars" annual appropriation to the Department for Supplying the City with Water, approved December 31, 1880, be, and the same is, hereby directed to be expended as follows: For the purchase of pipe, special castings and fittings, inspecting and hauling the same, and for the labor necessary to lay a water main on Market street, from Broad street to Delaware avenue; a main on the east side of Broad street, from Girard avenue to Callowhill street; and also a main on Broad street, from Cambria street to Erie avenue; and to relay with larger pipe on west side of Broad street, from Girard avenue to Poplar street.

APPENDIX No. 160.

RESOLUTION

Of censure.

Resolved by the Common Council of the City of Philadelphia, That Stephen Herse, member of this Chamber from Twenty-ninth Ward be, and he is, hereby censured for his conduct in the matter recently investigated by a Committee of this Chamber.

APPENDIX No. 161.

Philadelphia, August 1, 1881.

LAW DEPARTMENT OF THE CITY OF PHILADELPHIA.

To the Presidents and Members of Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—Since a special meeting of the Councils is about to be held to take into consideration measures proposed for the relief of the Board of Health from the difficulties which embarrass them in their efforts to clean the streets of the City, I deem it not out of place to put before you the facts contained in this communication, in order that, if you wish to do so, you may consider them in your deliberations.

By the Act of 1869, the cleaning of the streets is placed in the hands of the Board of Health, and that Board is the part of the machinery of City government which must be employed to make the necessary contracts and to supervise the work.

By the Act of 1858, and the more recent Act of 1874, the power of the Board, otherwise large, is limited in the expenditure of the City's money to the sum which the Councils appropriate.

By the ordinance of March 5, 1878, their power to expend the money appropriated to them is restricted in such a case as now exists, so that they can expend, in any one month of the year, but one-twelfth of the amount thereof.

For the year 1881 there has been appropriated to them the exact sum for which the streets were contracted to be cleaned.

The contractors have defaulted and seem to be defiant and litigious.

The Board is powerless to cope with them, unless and until you, the Councils, put forth a hand in their aid.

Under the contracts the Board have the right, in the present situation, either to do the work which a contractor undertook and failed to do, and to charge the cost to him, or

to annul the contract and re-let it, and hold the defaulting contractor for any additional cost to the City.

These are the usual remedies specified in contracts, and either of them would be full and ample in any ordinary transaction between individuals.

They are both equally useless to the Board of Health for lack of funds.

The Board will accomplish little by undertaking to do the work themselves, because they can spend in any one month only one-twelfth of the annual appropriation. This is the identical sum for which the contractors undertook to do the work, and is admitted to be insufficient for the purpose. The contractor has nothing to fear from such a step on the part of the Board, because he can make no profit in the faithful performance of his bad bargain, and he can meet with no loss when the Board does the work, but spends in so doing in any one month only the sum which the contractor would have received had he done the work himself.

The case would be very different, however, had the Board the money necessary to clean the streets, as the contractors agreed to clean them; for then the streets could be properly cleaned, and the City could collect her excess of expenditure from the contractors and their securities.

The Board avoided their present plight in previous years by the introduction of a clause into the contracts, providing for the reservation from the contractor of one-half his pay for the first three months of the year, thus securing a fund for such a position of affairs as they now meet.

We have with every contract a good and sufficient bond entered of record, a judgment, a lien against ample real estate, to secure the City from any and all pecuniary loss arising from the failure of the contractor to comply with the terms of his contract.

But until there is an expenditure of money by the City in excess of the sum agreed to be paid the contractor, no damages can be assessed, and no execution can issue.

If the Board pursue the other method, viz., annul the contract and advertise for bids, they are equally helpless and the contractor equally secure, because no contract can be made by the Board at a larger sum than the appropriation made,

and this sum is that for which the contractor agreed to do the work.

In this view of the situation, the nonchalance of the contractors awakens no surprise, for it is evident that the Board is helpless to strike until the Councils give further funds.

I am, with great respect,
Your obedient servant,
WM. NELSON WEST,
City Solicitor.

APPENDIX No. 162.

Philadelphia, August 1, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to repeal the proviso to ordinance entitled "An Ordinance to provide for the cleaning of the streets, and the removal of ashes and garbage therefrom, when the districts are not under contract," and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	THOS. GREEN,
THOS. M. HAMMETT,	JAMES L. MILES,
F. HALTERMAN,	J. W. PATTON,
WM. B. IRVINE,	CHAS. F. ISEMINGER,
S. S. HOLLINGSWORTH,	JNO. A. HOUSEMAN,
JOHN BARDSLEY,	DAVID WALLACE,

A. A. CATANACH.

AN ORDINANCE

To repeal the proviso to ordinance entitled "An Ordinance to provide for the cleaning of the streets, and the removal of ashes and garbage therefrom, when the districts are not under contract."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the proviso attached to the ordinance entitled "An Ordinance to provide for the cleaning of the streets, and the removal of ashes and garbage therefrom, when the districts are not under contract," approved March 5, 1878, and which is in the following words, "*Provided,* That the amount of said warrant shall not exceed for any one month the one-twelfth of the whole amount at which the contract had previously been awarded for the district," be, and the same is, hereby repealed: *Provided,* That said Board of Health shall immediately on the passage of this bill advertise for the cleaning of the streets where the contracts have been annulled, under new specifications.

APPENDIX No. 163.

RESOLUTION

Requesting the Board of Health to reorganize the street-cleaning department.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Board of Health are hereby requested to revise the regulations which at present govern their department for cleaning the streets, for the purpose of reorganizing it in the direction of greater efficiency.

APPENDIX No. 164.

RESOLUTION

Of request to his Honor the Mayor, relative to garbage and rubbish.

Resolved by the Select and Common Councils of the City of Philadelphia, That his Honor the Mayor be again respectfully requested and urged to instruct the police force of the City to use every proper effort to prevent garbage and rubbish from being thrown into the streets, in violation of the Ordinance of 1864.

APPENDIX No. 165.

Philadelphia, August 1, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance to approve the contract of W. Bugbee Smith, to take down, transfer, and re-erect the West Philadelphia Stand Pipe on a lot near the Spring Garden Water Works, bounded by Thirty-third street and the Reading and Connecting Railroads, or to furnish and erect a new stand pipe upon said lot, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n,*
WM. B. IRVINE,
CHAS. F. ISEMINGER,
JOHN BARDSLEY,
J. W. PATTON,
A. A. CATANACH,
S. S. HOLLINGSWORTH,
DAVID WALLACE,
JOHN SHEGOG,
J. DALLAS HALL,
JNO. A. HOUSEMAN,
JAMES R. GATES,
F. HALTERMAN,
THOMAS GREEN.

AN ORDINANCE

To approve the sureties and the contract of W. Bugbee Smith, to take down, transfer, and re-erect the West Philadelphia Stand Pipe on a lot near the Spring Garden Water Works, bounded by Thirty-third street and the Reading and Connecting Railroads, or to furnish and erect a new stand pipe upon said lot.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the contract of W. Bugbee Smith, to take down, transfer, and re-erect the West Philadelphia Stand Pipe on a lot near the Spring Garden Water Works, bounded by Thirty-third street and the Reading and Connecting Railroads, or to furnish and erect a new stand pipe upon said lot, as drawn at the Law Department and approved by the Chief-Engineer of the Water Department, be, and the same is, hereby approved; and William W. Frazier, Jr., William H. Wanamaker, and The Philadelphia Trust, Safe Deposit, and Insurance Company be, and they are, hereby approved as sureties on the said contract for the faithful performance thereof; and the City Solicitor be, and he is, hereby authorized and directed to take as security on said contract the bond and warrant of attorney of the said William W. Frazier, Jr., in the sum of seven thousand five hundred (7,500) dollars; the bond and warrant of attorney of the said William H. Wanamaker, in the sum of four thousand two hundred (4,200) dollars; and the bond of The Philadelphia Trust, Safe Deposit, and Insurance Company, for the sum of three thousand three hundred (3,300) dollars.

SECT. 2. That the City Solicitor be, and he is, hereby instructed to file agreements of record restricting the liens of the judgment to be entered against the said William W. Frazier, Jr., and William H. Wanamaker, as follows: As against William W. Frazier, Jr., to property at the southwest corner of Eighteenth and Locust streets, containing in front on the said Eighteenth street one hundred feet, and extending westward fifty feet; and as against William H. Wanamaker, to property on the north side of Mount Vernon street, at the distance of one hundred and twenty feet and ten inches eastward from the east side of Seventeenth street, containing in front on Mount Vernon street twenty feet, and in depth northward one hundred feet.

APPENDIX No. 166.

RESOLUTION

Of instruction to the Chief-Engineer and Surveyor, relative to stone bridge at Market street.

Resolved by the Common Council of the City of Philadelphia, That the Chief-Engineer and Surveyor be, and is, hereby instructed to prepare plans and specifications, and an estimate of cost for a stone bridge at Market street, said bridge to be the full width of the street, and two feet below the present grade.

APPENDIX No. 167.

OFFICE OF THE MAYOR.

Philadelphia, August 17, 1881.

To the Common Council
of the City of Philadelphia.

GENTLEMEN:—I have signed the ordinance, a copy of which is hereto appended, entitled "An Ordinance to repeal the proviso to ordinance entitled 'An Ordinance to provide for the cleaning of the streets, and the removal of ashes and garbage therefrom, when the districts are not under contract,'" because of the same exigency that prompted Councils to have special sessions during the summer recess to consider it.

Under other circumstances, the doubts I hold as to the policy of such legislation would have caused the return of the ordinance to Councils, with my objections.

I am, respectfully,

SAMUEL G. KING,
Mayor of Philadelphia.

APPENDIX No. 168.

Department of Receiver of Taxes.

Philadelphia, August 30, 1881.

Wm. H. Lex, Esq.,
President of Common Council.

Dear Sir:—During the recess of Councils there has been considerable public criticism of my official action, not only as Receiver of Taxes, but as former Chairman of the Finance Committee of Councils. It is possible these criticisms (which in some instances assumed the nature of charges) may be deemed proper subjects of inquiry by Councils. The purpose of this communication is, therefore, to respectfully advise you, that believing, as I do, in holding every public officer to strict accountability for his official conduct, I am ready to aid, and will cheerfully assist, either or both branches of Councils in any examination they may think ought to be made into mine.

Yours, truly,

JOHN HUNTER,
Tax Receiver.

APPENDIX No. 169.

RESOLUTION

To appoint a Joint Special Committee, relative to street cleaning.

Resolved by the Select and Common Councils of the City of Philadelphia, That there be appointed a Joint Committee of five members from each Chamber, to confer with the Board of Health, looking to a revision of the system of cleaning the streets.

APPENDIX No. 170.

RESOLUTION

Of instruction to the Chief Commissioner of Highways to comply with an ordinance.

WHEREAS, An ordinance to rebuild at a greater depth the sewer on Fifth street, from Pine to Lombard streets, was passed and approved on the fourteenth day of June, A. D. 1880. The Chief Commissioner of Highways was authorized to advertise according to law, that bids would be received for the sewer above designated, and should allot the same to the lowest bidder.

AND WHEREAS, The Chief Commissioner of Highways did, in the month of June last past, advertise for bids to rebuild the sewer, and the Committee awarded the contract to one George Miller, but for some unknown reason the Chief Commissioner has neglected to comply with his part of the contract.

AND WHEREAS, The property owners and residents along the line of the said sewer have suffered and sustained serious damage, on account of the filth backing into their cellars from the sewer.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Chief Commissioner of Highways be instructed to comply with the ordinance passed June 14, 1880, and have the sewer rebuilt at once.

APPENDIX No. 171.

Department of City Controller.

Philadelphia, September 1, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—In compliance with the requirements of law, I herewith submit the annual detailed statement containing the estimated receipts, expenditures, and liabilities of every kind from August 1, 1881, to December 31, 1881, inclusive, and for the next fiscal year 1882. The calculations for tax rates are based on the return of the Board of Revision for the year, 1882. By reference to the statement it will be found that the Act of Assembly of June 11, 1879, authorizing Councils to fix a tax rate, has been followed.

A tax rate of $2.20 will give the departments the amount asked for, or $1,565,853.26 more than they received this year.

A tax rate of $2.10 will yield $483,148.10 less than the departments ask for.

A tax rate of $2.05 will yield $698,028.28 less than the departments ask for.

A tax rate of $2.00 will yield $912,908.46 less than the departments ask for.

A tax rate of $1.95 will yield $1,127,788.65 less than the departments ask for, but will give departments $431,452.34 more than they received this year.

A tax rate of $1.90 will yield $1,342,665.83 less than the departments ask for, or about 14½ per cent. reduction from amount estimated. It will, however, give departments $216,573,16 more than they received this year.

Respectfully submitted,

ROBERT E. PATTISON,

City Controller.

Department of City Controller.

Statement of the General and Additional Appropriations to August 1, 1881, and Estimated Expenses from August 1, 1881, to December 31, 1882.

	Annual Appropriations, 1881.	*Special Appropriations, 1881, & †Balances from Books, 1880.	Total Appropriations 1881.	Estimated Expenses, 1882.
Int. and State Tax on City Loans..	$4,056,984 06	.....	$4,056,984 06	$4,027,523 32
Dept. of Police.....	1,294,383 37	†$14,215 54	1,308,598 91	1,283 383 37
" Highways.....	301,834 05	†25,195 27	327,029 32	400,000 00
" Guardians of the Poor.....	394,176 00	*42,800 95	436,976 95	438,166 00
" City Commissioners.....	561,808 25	† 198 49	562,006 74	598,633 25
" Markets & City Property.	136,111 50	.....	136,111 50	137,442 00
" City Treasurer.....	37,950 00	.....	37,950 00	38,300 00
" Board of Revision.....	115,650 00	.....	115,650 00	116,650 00
" Park Commissioners.....	202,200 00	†63,456 38	265,656 38	200,000 00
" Water.....	518,845 00	†157,593 73	676,438 73	1,111,000 00
" Clerks of Councils.....	33,096 00	*3,000 00	36,096 00	38,096 00
" Receiver of Taxes.....	43,500 00	*2,639 48	46,139 48	43,500 00
" Surveys.....	46,330 00	.....	46,330 00	52,889 00
" City Solicitor.....	30,380 00	*9,938 33	40,318 33	48,780 00
" Fire Commissioners.....	463,380 87	.....	463,380 87	468,475 00
" Lighting the City.....	239,638 00	.....	239,638 00	264,774 00
" Education.....	1,438.094 04	†96,297 66	1,534,391 70	1,604,650 04
" Health.....	240,784 88	*13,225 00	254,009 88	425,771 67
" County Prison.....	109,801 00	.....	109,801 00	103 364 00
" City Ice Boats.....	44,000 00	*33,000 00	77,000 00	50,500 00
" City Controller.....	47,300 00	.....	47,300 00	47,300 00
" Sinking Funds.....	806,655 00	.....	806 655 00	806,655 00
" Fire-alarm Telegraph.....	62,240 00	.....	62,240 00	23,940 00
" Boiler Inspection.....	10,880 00	.....	10,880 00	13,385 00
" House of Correction.....	167,407 00	.....	167,407 00	176.917 00
" Board of Port Wardens...	2,915 00	.....	2,915 00	3,600 00
" Public Buildings.....	750,000 00	†148,941 71	898,941 71	1,250,000 00
" Sheriff.....	56,800 00	.....	56,800 00	54,300 00
" Register of Wills.....	29,200 00	.....	29,200 00	30,700 00
" District Attorney.....	35,900 00	.....	35,900 00	35,900 00
" Coroner.....	24,771 75	.....	24,771 75	23,550 00
" Recorder of Deeds.....	59,950 00	.....	59,950 00	59,950 00
" Prothonotary.....	61,250 00	.....	61,250 00	63,275 00
" Clerk of Quarter Sessions.	26,000 00	.....	26,000 00	26,500 00
General Appropriations.....	$12,450,215 77	$610,502 54		
*Special Appropriations, 1881.....	.....	$107,228 63		
†Brought from books of 1880.....	.....	503,273 91		
Special and Additional for 1881.....	.....	$610,502 54		
Total Appropriations.....	.....	.....	$13,060,718 31	
Estimated Expenses 1882.....	.....	.....	.....	$14,067,869 65

Estimated Liabilities of the City of Philadelphia, from August 1, 1881, to December 31, 1882.

Estimated expenses:

Interest and State Tax on City Loan, January 1, 1882	$2,018,000 56	
Interest and State Tax on City Loan, July 1, 1882	2,009,522 76	
Interest and State Tax on City Loan, January 1, 1883	2,002,525 16	
First Series New 4 per cent. Loan, due Dec. 31, 1881, Letter B	332,325 00	
Second Series New 4 per cent. Loan, due Dec. 31, 1882, Letter C	400,000 00	
Quarterly appropriation to Sinking Fund, October 1, 1881	174,061 25	
Quarterly appropriation to Sinking Fund, January 1, 1882	229,061 25	
Appropriations to Sinking Funds for the year 1882	806,655 00	
Outstanding Warrants prior to 1880	98,814 49	
Outstanding Cash Warrants of 1881	190,996 87	
Warrants that may be drawn in 1881	3,451,629 53	
Estimated amount of Mandamus	100,000 00	
Expenses of Departments for the year 1882	9,233,691 33	
Total estimated expenses		$21,047,283 20

Valuation of property, as furnished by the Board of Revision for 1882, with tax rate sufficient to give Departments the full amount asked for.

Real estate	$545,608,579 00
Personal estate	8,166,650 00
	$553,775,229 00

Classified as follows:

		Rate.	Product.
Full	$499,481,202 00	$2.20	$10,988,586 44
Suburban	35,197,912 00	1.46⅔	516,236 04
Farm	19,096,115 00	1.10	210,057 26
	$553,775,229 00		$11,714,879 75

Funded debt of the City of Philadelphia.

Total amount of funded debt, January 1, 1881		$69,431,064 75
Amount of loan cancelled and redeemed		866,123 51
Funded debt August 1, 1881		$68 564,941 24
Amount of Loan in Sinking Funds, pledged for redemption of City debt at par	$18,656,150 00	
Amount of U. S. Government 5 per cent. Loan, pledged for redemption of City debt at par	1,000,000 00	
Amount of Pennsylvania 6 per cent. Loan, pledged for redemption of City debt at par	323,950 00	
mount of Sunbury and Erie Railroad Stock, at $23.50 per share	528,750 00	
Amount of North Pennsylvania Railroad Stock, at $50 per share, par value	639,200 00	
Amount in Philadelphia National Bank for purchase of sinking fund securities	489,272 94	
Total		21,637,322 94
Excess of funded debt over the above securities		$46,927,618 30

Statement of the Estimated Receipts for the year 1881. Amount of revenue collected to August 1, 1881. The probable amount which will be collected to January 1, 1882, and Estimated Receipts for 1882, and Cash Balance on hand August 1, 1881.

	Estimated receipts for 1881.	Revenue collected to Aug. 1, 1881.	Estimated amount to be collec'd prior to 1882.	Estimated receipts for 1882.	Cash balance Aug. 1, 1881.
Cash balance on hand Aug. 1, 1881	.....	.....	.....	.....	$3,655,690 23
Dept. of Highways	$55,000 00	$50,048 54	$5,000 00	$50,325 00	
" Water	1,400,000 00	1,303,490 04	97,000 00	1,419,500 00	
" Fines and penalties	40,000 00	29,601 45	10,398 55	40,000 00	
" Pawnbrokers' licenses	7,000 00	7,400 00	.....	7,000 00	
" Gunpowder licenses	25 00	25 00	.....	25 00	
" Theatrical licenses	350 00	375 00	.....	350 00	
" Petroleum licenses	450 00	330 00	120 00	450 00	
" Prison inspectors	12,500 00	6,400 00	6,100 00	12,000 00	
" Guardians of the Poor	3,500 00	.....	3,500 00	2,000 00	
" Board of Health	45,625 00	15,052 35	30,572 65	38,700 00	
" Police	1,500 00	631 75	900 00	1,500 00	
" Sheriff	72,000 00	25,967 59	46,032 41	70,000 00	
" Register of Wills	77,000 00	45,478 47	31,521 53	82,000 00	
" District Attorney	5,500 00	.....	5,500 00	5,500 00	
" City Commissioners	16,000 00	15,597 00	403 00	17,000 00	
" City Solicitor	90,000 00	66,148 76	23,851 22	125,000 00	
" City Property	6,000 00	3,568 05	2,431 95	6,000 00	
" Wharves and Landings	48,000 00	24,708 75	23,291 25	48,000 00	
" City Markets	51,500 00	47,278 00	4,222 00	50,000 00	
" Huckster licenses	26,000 00	14,167 00	5,000 00	20,000 00	
" Port Wardens	500 00	230 00	270 00	500 00	
" Fire Commissioners	1,000 00	990 60	10 00	1,000 00	
" City Ice Boats	10,000 00	14,220 13	.....	10,000 00	
" Surveys	3,500 00	2,493 75	1,000 00	3,500 00	
" Boiler Inspection	10,200 00	4,748 78	5,451 22	10,000 00	
" Public Buildings	500 00	250 00	250 00	500 00	
" House of Correction	15,548 00	3,460 98	12,087 02	17,000 00	
" City Treasurer	11,000 00	10,863 75	200 00	12,000 00	
" Park Commissioners	9,000 00	6,392 74	2,607 26	9,000 00	
" Recorder of Deeds	65,000 00	34,219 09	30,780 81	65,000 00	
" Clerk of Quarter Sessions	31,000 00	27,361 49	5,000 00	32,000 00	
" Prothonotary	76,073 00	32,471 10	43,601 90	73,900 00	
State appropriation to schools	75,000 00	345,705 27	.....	179,973 04	
Interest on N. Penn'a R. R. stock	40,000 00	19,176 00	20,824 00	40,000 00	
Trustees Gas Works	360,000 00	180,000 00	180,000 00	360,000 00	
Miscellaneous receipts	20,000 00	22,268 57	10,000 00	32,000 00	
Estimated receipts of 1881, other than taxes	$2,686,271 00	$2,361,120 00	$607,926 77	$2,841,723 01	
Estimated receipts from tax levy of 1881	8,026,517 20	5,389,486 38	2,637,030 82	8,165,446 91	
Estimated receipts from delinquent taxes	2,097,908 46	986,910 07	600,000 00	1,700,000 00	
Total estimated receipts for 1881	$12,810,696 66				
Revenue collected in 1881, and to be collected	.....	$8,737,516 45	$3,844,957 59		
Estimated receipts of 1882 from all sources	.....	.....	.....	$12,707,169 95	

Assets of the City of Philadelphia, from August 1, 1881, to January 1, 1883.

Cash on hand August 1, 1881			$3,655,690 23
Estimated receipts from sources other than taxes, prior to 1882, and for 1882			3 449,649 81
Estimated receipts from taxes of 1881, and delinquent taxes to January 1, 1882			3.237,030 82
Estimated receipts from delinquent taxes in 1882			1,700,000 00
Total receipts			$12,042,370 86
Total amount of tax produced at $2.20, and divisions		$11,714,879 75	
Deduct average of five years for amount not collectable within the year		2,200,151 74	
Will net		$9,514,728 01	
Deduct amount due Twenty-second Ward for poor.	$16,963 26		
Deduct amount due Twenty third Ward for poor.	8,662 70		
		25,625 96	
		$9,489,102 05	
Amount required from taxation, according to estimates furnished by departments			9,004,912 34
			$21,047,283 20

Limit of City expenses for 1882, Act of Assembly, approved June 11, 1879.

	Tax rate, $2.20.	Tax rate, $2.10.	Tax rate, $2.05.	Tax rate, $2.00.	Tax rate, $1.95.	Tax rate, $1.90.
Tax rates on assessed valuation of $553,775,229, yield	$11,714,879 75	$11,182,385 21	$10,916,137 95	$10,649,890 68	$10,383,643 41	$10,117,396 14
"The amount of tax moneys collectable during the years for which such tax shall have been levied, shall be ascertained by deducting from the gross amount yielded by said rate, the average of such proportion of the annual tax levy for each of the five years immediately preceding as shall have remained uncollected at the end of each of said years."						
Average of years 1876, 1877, 1878, 1879, and 1880	2,200,151 74	2,157,417 57	2,106,050 49	2,054,683 40	2,003,316 32	1,951,949 23
Estimated amount collectable within the year under the above rates, respectively	$9,514,728 01	$9,024,967 64	$8,810,087 46	$8,595,207 28	$8,380,327 09	$8,165,446 91
"Average income from sources other than current tax moneys (exclusive of sinking fund receipts), such average of income to be determined by ascertaining the average income during the five years immediately preceding."						
Average of years 1876, 1877, 1878, 1879, and 1880	5,044,278 51	5,044,278 51	5,044,278 51	5,044,278 51	5,044,278 51	5,044,278 51
	$14,559,006 52	$14,069,246 15	$13,854,365 97	$13,639,485 79	$13,424,605 60	$13,209,725 42
"For lawful obligations due by the City during the fiscal year."						
Interest due July 1, 1882	*$2,009,522 76					
Interest due January 1, 1883	*2,002,525 16					
Second series of new loan, December 31, 1882	400,000 00					
Sinking funds for 1882	806,655 00					
Mandamuses	100,000 00					
	5,318,702 92	5,318,702 92	5,318,702 92	5,318,702 92	5,318,702 92	5,318,702 92
For "expenses of municipal government, authorized by Councils." Limit	$9,240,303 60	$8,750,543 23	$8,535,663 05	$8,320,782 87	$8,105,902 68	$7,891,022 50

* $60,000 State Tax included.

APPENDIX No. 172.

Office of the Board of Revision of Taxes.

Philadelphia, September 1, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—The Board of Revision of Taxes of the City and County of Philadelphia respectfully submit a statement of the real and personal property in the City of Philadelphia assessed and subject to tax for City purposes for the year one thousand eight hundred and eighty-two (1882).

Real estate, City rate, - - - -	$491,314,552
Real estate, suburban rate, - - -	35,197,912
Real estate, farm rate, - - - -	19,096,115
Personal property (furniture, horses, cattle, and pleasure carriages), - - - -	8,166,650
Total, - - - - - -	$553,775,229

The above includes the Twenty-second and Twenty-third Wards (subject to reduction for poor), a separate statement of which is as follows:

Statement of the Twenty-second and Twenty-third Wards.

	City.	Suburban.	Farm.	Personal property.
Twenty-second,	$9,883,025	$9,917,267	$3,293,950	$706,570
Twenty-third	4,649,800	3,699,030	4,592,100	213,360

SAMUEL HAWORTH,
WILLIAM LOUGHLIN,
GEORGE W. FAIRMAN,
Board of Revision of Taxes.

APPENDIX No. 173.

Philadelphia, September 1, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize certain transfers in the annual appropriation to the Department of Highways for the year 1881, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	CHAS. F. ISEMINGER,
S. S. HOLLINGSWORTH,	A. A. CATANACH,
JOHN BARDSLEY,	WM. B. IRVINE,
S. C. COLLINS,	J. DALLAS HALL,
JNO. A. HOUSEMAN,	OLIVER PARKER,
GEORGE R. SNOWDEN,	JAS. R. GATES,
THOS. M. HAMMETT,	THOS. GREEN.

AN ORDINANCE

To authorize certain transfers in the annual appropriation to the Department of Highways for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be, and is, hereby authorized and directed to make the following transfers in the items of the annual appropriation to the Department of Highways for the year 1881, viz.: From Item 2, for paving intersections, eighteen thousand eight hundred and fifty-eight (18,858) dollars; from Item 8, for repairs to sewers and inlets, nine hundred and twenty-five (925) dollars; from Item 11, for office and yard expenses, six hundred (600) dollars; from Item 14, for repairs to streets along passenger railways, twenty-eight hundred (2,800) dollars; from Item 15, for salaries of bridge watchmen, one hundred (100) dollars; from Item 23, for engineers' stores, seven hundred (700) dollars; from Item 25½,

for paving market plots on South Eleventh street, seven hundred (700) dollars; together, twenty-four thousand six hundred and eighty-three (24,683) dollars, to Item 5, for repairs to roads, drains, etc., fifteen hundred (1,500) dollars; to Item 6, for grading streets and roads, fourteen hundred and eighty-three (1,483) dollars; to Item 7, for repairs to bridges, eighty-five hundred (8,500) dollars; to Item 17, for constructing branch sewers, one thousand (1,000) dollars; to Item 18, for crossing stones, three thousand (3,000) dollars; to Item 20, for the construction of new inlets, three thousand (3,000) dollars; to Item 22, for gas on Girard avenue bridge, five hundred (500) dollars; to an item to be called Item 28, five thousand seven hundred (5,700) dollars, for crossing stones on Market street.

SECT. 2. That the amounts, respectively, of five thousand (5,000) dollars on Item 2, and three thousand nine hundred and seventeen (3,917) dollars and thirty-nine (39) cents on Item 6, set aside in 1879 for work on Germantown avenue, and carried forward by ordinance, be, and the same are, hereby merged into said items in the appropriation for the current year, the same to be applied to the general purposes of the Department of Highways. All ordinances or parts of ordinances inconsistent herewith be, and the same are, hereby repealed.

APPENDIX No. 174.

Philadelphia, September 1, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered a communication from John Hunter, Receiver of Taxes, informing Councils that he had appointed Henry B. Tener Collector of Outstanding or

Delinquent Taxes in place of William J. Donohugh, removed, to take effect on 20th of August, or as soon thereafter as the sureties of the said Henry B. Tener may be duly approved. They have also considered a communication from the said Henry B. Tener, submitting the name of Mary A. Barcroft as his surety for the performance of the duties of the office of Collector of Outstanding or Delinquent Taxes, and submit the annexed ordinance to approve the surety of Henry B. Tener, Collector of Outstanding or Delinquent Taxes, and recommend its passage.

HENRY CLAY, *Ch'n*, CHAS. F. ISEMINGER,
S. S. HOLLINGSWORTH, A. A. CATANACH,
WM. B. IRVINE, S. C. COLLINS,
J. DALLAS HALL, JNO. A. HOUSEMAN,
OLIVER PARKER, GEORGE R. SNOWDEN,
JAS. R. GATES, THOS. M. HAMMETT,
THOS. GREEN.

AN ORDINANCE

To approve the surety of Henry B. Tener, Collector of Outstanding or Delinquent Taxes.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Mary A. Barcroft be, and she is, hereby approved as the surety of Henry B. Tener, Collector of Outstanding or Delinquent Taxes, and the City Solicitor is directed to prepare the proper bond and warrant of attorney for said parties to execute, and to have judgment entered thereon, and to file an agreement of record restricting the lien of the judgment against the said Mary A. Barcroft to premises numbered 405 and 407 Market street, in the Sixth Ward.

APPENDIX No. 175.

Philadelphia, September 1, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the grading of Germantown avenue, from Clearfield street to Westmoreland street, in the Twenty-eighth Ward, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n,*	ALEX. REINSTINE,
JOHN L. GRIM,	J. B. VAN DUSEN,
EDW. W. PATTON,	DAVID MULLEN,
HUGH COPELAND,	FRANCIS MARTIN,
J. K. CUMING,	JAMES EVANS,
GEORGE RONEY,	JOHN S DAVIS,
A. ALBRIGHT,	DANIEL SCHELLINGER.

AN ORDINANCE

To authorize the grading of Germantown avenue, from Clearfield street to Westmoreland street, in the Twenty eighth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Chief Commissioner of Highways be, and is, hereby authorized and directed to grade the following street to the established grade of the City, viz., Germantown avenue, from Clearfield street to Westmoreland street, in the Twenty-eighth Ward, cost not to exceed one thousand (1,000) dollars: *Provided,* That said street shall be first dedicated or properly opened, and that the owners of property fronting on said street shall grade, curve, and pave their sidewalks: *And further provided,* That the said grading shall be advertised for, and the contract awarded to the lowest bidder.

APPENDIX No. 176.

Philadelphia, September 1, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize the grading and paving of Ann street, from Frankford avenue to Belgrade street, in the Twenty-fifth Ward, respectfully report that we have examined and disapprove the same, and submit for your consideration the annexed resolution, and ask its adoption.

DAVID WALLACE, *Ch'n,*
JOHN L. GRIM,
EDW. W. PATTON,
FRANCIS MARTIN,
J. K. CUMING,
GEORGE RONEY,
A. ALBRIGHT,
ALEX. REINSTINE,
J. B. VAN DUSEN,
DAVID MULLEN,
HUGH COPELAND,
JAS. EVANS,
JOHN S. DAVIS,
DANIEL SCHELLINGER.

RESOLUTION

Discharging the Committee on Highways from the further consideration of the ordinance to authorize the grading and paving of Ann street, in the Twenty-fifth Ward.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Committee on Highways be, and are, hereby discharged from the further consideration of the ordinance to authorize the grading and paving of Ann street, from Frankford avenue to Belgrade street, in the Twenty-fifth Ward.

APPENDIX No. 177.

OFFICE OF THE MAYOR.

Philadelphia, September 15, 1881.

To the Common Council
of the City of Philadelphia.

GENTLEMEN:—The following ordinances have been approved and signed by me:

May 23, 1881—An Ordinance to authorize the construction of sewers on Brown, Twenty-second, Collins, Twenty-fifth, Perot, Carlton, Cherry, Sixth, Barclay, Powell, Owen, Morris, Somerset, Mill, Indiana, Baker, and Vine streets.

May 23, 1881—An Ordinance authorizing the extinguishment of a certain yearly ground-rent of fifty-six dollars.

May 23, 1881—An Ordinance making an appropriation to the Commissioners of Fairmount Park, of a sum of money in the City Treasury, as a special fund for Park purposes.

May 23, 1881—An Ordinance to repeal so much of the ordinance entitled "An Ordinance to authorize the construction of sewers on Fitzwater, Shackamaxon, and Lambert streets," approved the seventh day of February, 1881, as relates to Shackamaxon street.

May 23, 1881—An Ordinance to authorize a transfer from Item 19, in the annual appropriation to the Department of City Commissioners for the year 1881, to certain items in the appropriation to the Board of Health for the same year.

May 23, 1881—An Ordinance to authorize the surrender of the official bond of William Nelson West, City Solicitor.

May 28, 1881—An Ordinance to make an appropriation to Item 7, in the annual appropriation to the Clerks of Councils for the year 1881.

May 28, 1881—An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to make all repairs (including boiler cleansing) to works; to employ all horses and wagons or carts required; and to lay water pipe other than by contract, and also interpreting Item 21 of the annual appropriation to the said department.

June 1, 1881—An Ordinance to approve the contract and surety of James Deehan, for the construction of the extension of the Mill creek sewer.

June 1, 1881—An Ordinance to revise the lines of Turner street, between Twenty-fourth and Twenty-fifth streets, in the Twenty-ninth Ward.

June 1, 1881—An Ordinance to make certain transfers from the annual appropriation to the Fire Department for 1879, and the City Commissioners for 1881, to the annual appropriation to the Fire Department for 1881.

June 1, 1881—An Ordinance to approve the contract and surety of Hiram A. Miller, for the erection of privies at the Kenderton School-house, in the Twenty-eighth Section.

June 1, 1881—An Ordinance to make an appropriation to the Board of Public Education, to pay for the erection of privies, etc., at the Kenderton School-house, Fifteenth and Tioga streets, in the Twenty-eighth Ward.

June 1, 1881—An Ordinance to authorize a certain transfer in the annual appropriation to the Department of Markets and City Property for the year 1881.

June 6, 1881—An Ordinance providing for the widening of Thirtieth street, in the Twenty-seventh Ward.

June 7, 1881—An Ordinance to authorize the construction of sewers on Thirty-third street, Twenty-third, Ingersoll, Garrett, Myrtle, State, and McKean streets.

June 7, 1881—An Ordinance to amend an ordinance entitled "An Ordinance to authorize the grading of Germantown

avenue, from Gorgas street to junction of the Chestnut Hill and Spring-house road, in the Twenty-second Ward."

June 7, 1881—An Ordinance to amend an ordinance entitled "An Ordinance to make an appropriation to the Board of Health for the year 1881," Items 46 and 49, relating to street cleaning.

June 7, 1881—An Ordinance granting permission to the "Enterprise Manufacturing Company, of Pennsylvania," to construct an underground flue or air-duct on Bodine street, south of Dauphin street.

June 7, 1881—An Ordinance to authorize the Mayor to enter into a contract with Hilles & Jones for the construction, erection, and completion of a new boiler, pipes, connections, and fittings for the Chestnut Hill Water Works, and providing for the payment of the same.

June 7, 1881—An Ordinance to authorize the paving of Twelfth street and Union street.

June 7, 1881—An Ordinance to authorize the grading of Sedgley avenue, from York street to Lamb Tavern road, and from Ridge avenue to Montgomery avenue, in the Twenty-eighth Ward.

June 16, 1881—An Ordinance to authorize repairs to be made to the South street bridge.

June 16, 1881—An Ordinance to authorize the grading of Thompson street, Twentieth street, and Ridge avenue.

June 16, 1881—An Ordinance to authorize the paving of Collins street, from Huntingdon street to Lehigh avenue, in the Thirty first Ward.

June 16, 1881—An Ordinance to authorize the grading of Davis, Aspen, and Collins streets.

June 16, 1881—An Ordinance to approve the contract and sureties of Charles O'Neill, Jr., for the erecting of a school-house at the southeast corner of Twenty-sixth and Jefferson streets.

June 16, 1881—An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of Cunningham & McNichol.

June 16, 1881—An Ordinance to authorize the grading of Sharswood street, in the Twenty-ninth Ward.

June 16, 1881—An Ordinance to authorize the paving of Naudain and Twenty-sixth streets, in the Seventh Ward.

June 16, 1881—An Ordinance to authorize the Chief-Engineer of the Department for Supplying the City with Water, to receive the water-rents of all National or State properties in half yearly payments.

June 16, 1881—An Ordinance to amend the ordinance entitled "An Ordinance to place Ploud street, in the Twenty-second Ward, upon the plan of the City."

June 16, 1881—An Ordinance to authorize the Chief Commissioner of Highways to draw a warrant in favor of William Achuff.

June 16, 1881—An Ordinance authorizing the construction of a bridge across Water street, south of Walnut street.

June 16, 1881—An Ordinance to make an appropriation to the Department for Supplying the City with Water, for the purpose of refunding certain twice-paid and overpaid, and paid-in-error water-rents and pipe-laying bills.

June 16, 1881—An Ordinance to amend an ordinance entitled "An Ordinance to make an appropriation to the Department of Highways, Bridges, and Sewers for the year 1881," approved December 31, 1880.

June 16, 1881—An Ordinance to amend an ordinance entitled "An Ordinance to authorize the grading of Freeland avenue, from Shur's lane to Penn street, in the Twenty-first Ward."

June 20, 1881—An Ordinance to provide for lighting Chestnut street, from the Delaware to the Schuylkill rivers, with electric lights.

June 20, 1881—An Ordinance to authorize the construction of sewers on Eighth, Dudley, Green, and Emerald streets, and on Lancaster avenue.

June 20, 1881—An Ordinance to amend an ordinance entitled "An Ordinance to authorize the grading of Cinnaminson avenue, in the Twenty-first Ward."

June 20, 1881—An Ordinance to make an appropriation to pay the interest on the funded debt of the City of Philadelphia, falling due on the first day of July, 1881.

June 20, 1881—An Ordinance to authorize a certain transfer in the annual appropriation to the Commissioners of Fairmount Park for the year 1881.

June 20, 1881—An Ordinance to authorize the paving of Myrtle street and Wabash avenue.

June 20, 1881—An Ordinance supplementary to an ordinance entitled "An Ordinance to open Beach street, from Otis to Rush street, in the Eighteenth Ward," approved December 9, 1880.

June 20, 1881—An Ordinance to authorize the grading of Gowen avenue, from Sprague street to Stenton avenue, in the Twenty-second Ward.

June 20, 1881—An Ordinance to grant permission to E. A. Corbin and J. P. Birch to erect a temporary frame shed on their wharf property at the northeast corner of Thirtieth and Locust streets, in the Twenty-seventh Ward.

June 20, 1881—An Ordinance to authorize a topographical survey of parts of the Twenty-first and Twenty-Second Wards.

June 20, 1881—An Ordinance to provide relief to the taxpayers who have been defrauded by the late Assistant Deputy Receiver of Taxes.

June 20, 1881—An Ordinance to authorize satisfaction to be entered on the official bond of Robert E. Pattison.

June 20, 1881—An Ordinance to prohibit the sale, construction, and use, within the corporate limits of the City of Philadelphia, of toy pistols, devils' bombs, and other similar articles used for firing salutes, etc.

June 20, 1881—An Ordinance to authorize "The Keystone Horseshoe Company" to erect a one-story frame building, to be covered with sheet-iron, on the east side of Richmond street, opposite Ash street, and adjoining Gunner's run, in the Eighteenth Ward.

June 24, 1881—An Ordinance to make an appropriation to the Trustees of the City Ice Boats for the repair of City Ice Boat No. 1, and to authorize certain transfers from the annual appropriations of the Departments of City Commissioners and Inspectors of the County Prison for the year 1881, and Department of Police for the year 1879, to the annual appropriation to the Trustees of the City Ice Boats for the year 1881.

June 24, 1881—An Ordinance to authorize the Mayor to enter into a contract with the "Peerless Brick Company," for furnishing terra-cotta cornices and special buff bricks.

June 24, 1881—An Ordinance to authorize a transfer in the annual appropriation to the Department for Supplying the City with Water for the year 1881.

June 24, 1881—An Ordinance to authorize the construction of sewers on Sixth, St. Mary, Pine, Sixty-third, Mutter, Waldron, Marston, Stiles, Warnock, and Seventeenth streets.

June 24, 1881—An Ordinance to authorize the construction of sewers on Medina, Howard, and Cumberland streets.

June 24, 1881—An Ordinance to prevent the erection of bay and oriel windows.

June 24, 1881—An Ordinance to authorize certain transfers in the annual appropriation to the Law Department for the year 1881.

June 24, 1881—An Ordinance directing a topographical survey on Plan 279, Twenty-sixth Ward.

June 24, 1881—An Ordinance to authorize the City Solicitor to mark satisfied of record one of two bonds given by John Zeh, principal, and Thomas McLaughlin, in surety, five hundred dollars each.

July 24, 1881—An Ordinance to authorize certain transfers from the annual appropriation to the Department of City Commissioners, Department of Highways, Inspectors of County Prison, and the Board of Health, for the year 1881, to the annual appropriation to the Board of Heath for the same year.

August 17, 1881—An Ordinance specifically appropriating Item 24, in the annual appropriation to the Department for Supplying the City with Water.

August 17, 1881—An Ordinance to authorize the opening of Tucker street, from Tacony to James street, in the Twenty-third Ward.

August 17, 1881—An Ordinance to authorize the construction of sewers on Market street, between Merrick street and Twenty-second street.

September 8, 1881—An Ordinance to construct or build a bulk or oriel window at No. 805 North Broad street.

September 8, 1881—An Ordinance to approve the sureties and the contract of W. Bugbee Smith, to take down, transfer, and re-erect the West Philadelphia Stand Pipe, on a lot near the Spring Garden Water Works, bounded by Thirty-third street and the Reading and Connecting Railroads, or to furnish and erect a new stand pipe upon said lot.

September 8, 1881—An Ordinance to authorize the opening of Carpenter street, from Twenty-third to Gray's Ferry road, in the Thirtieth Ward.

September 8, 1881—An Ordinance to change the location of public lamps.

September 8, 1881—An Ordinance to revise the lines of Gorgas street, between Germantown avenue and Chew street, in the Twenty-second Ward.

September 8, 1881—An Ordinance to authorize the grading of Johnson and Kalos streets, and Manayunk avenue.

September 8, 1881—An Ordinance to authorize the extension of the West Cohocksink sewer, in the Twenty-eighth Ward.

Respectfully, yours,

SAMUEL G. KING,
Mayor of Philadelphia.

APPENDIX No. 178.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, September 15, 1881.

To the Presidents and Members of the
Select and Common Councils.

GENTLEMEN:—Enclosed please find equated schedule of bids received by this department on 14th instant, for the construction of main sewers on Thirteenth street, from Morris to Wharton street, and on Sedgley avenue, from Susquehanna avenue to Herman street; in both instances the amount which would be required to be paid by the City is in excess of that authorized by the ordinances providing for their construction. As the contracts cannot be made under the existing circumstances, I refer the matter to your honorable bodies for such action as in your wisdom you may deem necessary.

Very respectfully,

WILLIAM BALDWIN,
Chief Commissioner of Highways.

OFFICE OF THE CHIEF-ENGINEER AND SURVEYOR.

Philadelphia, September 15, 1881.

WILLIAM BALDWIN, Esq.,
Chief Commissioner of Highways.

DEAR SIR:—The following is a summary of the proposals received by you, yesterday, for main sewers; John B. Lukens being the lowest bidder for Thirteenth street sewer, and Wm. H. Achuff for Sedgley avenue sewer.

Main Sewer on Thirteenth street, from Morris to Wharton street.

Contractor.	4 feet Sewer.		3½ feet Sewer.		Inspector.	Total Amount	Excess over Assessm't Bills.
John Murray	$6 40	$5,760 00	$5 35	$4,815 00	$300 00	$10,875 00	
John B. Lukens	4 50	4,050 00	3 50	3,150 00	400 00	7,600 00	$3,500 00
P. T. Smart	11 00	9,900 00	10 25	9,225 00	300 00	19,425 00	
Wm. H. Achuff	14 00	12,600 00	10 00	9,000 00	400 00	22,000 00	
Alex. Armstrong	5 19	4,671 00	4 99	4,491 00	200 00	9,362 00	

Main Sewer on Sedgley avenue, Susquehanna avenue to Herman street.

Contractor.	6 feet Sewer.		6½ feet Sewer.		Chamber.	Inspector.	Total Amount.	Excess over Assessm't Bills.
M. C. Hong	$19 00	$13,300 00	$21 00	$12,600 00	$1,600 00	$900 00	$28,400 00	
Wm. H. Achuff	17 00	11,900 00	19 00	11,400 00	1,600 00	900 00	25,800 00	$23,500 00

Yours, respectfully,

J. MILTON TITLOW, P. A. E.,
For Chief-Engineer and Surveyor.

APPENDIX No. 179.

RESOLUTION

In reference to the Philadelphia and Reading Railroad Company.

Resolved by the Select and Common Councils of the City of Philadelphia, That a Committee of five members from each branch of Councils be appointed to confer with the Receivers, appointed by Court, of the Philadelphia and Reading Railroad Company, as to the necessity and propriety of the Philadelphia and Reading Railroad Company removing their depot to the west side of Broad street, so as to avoid the great danger to travel that now exists, and of the spoiling of one of the finest streets in the City of Philadelphia.

APPENDIX No. 180.

RESOLUTION

Authorizing the Committee investigating the Tax Office to employ a notary public and stenographer.

Resolved by the Select and Common Councils of the City of Philadelphia, That the Sub-Committee of the Committee on Law, to whom was referred the resolutions relative to the management of the Tax Office, be, and they are, hereby authorized and empowered to employ a notary public and a stenographer should they deem the same necessary: *Provided*, The expense thereof shall not exceed five hundred (500) dollars, to be paid, on the approval of said Committee and of the Committee on Finance, out of Item 7 of the appropriation to the Clerks of Councils.

The said Committee are also hereby directed to report to these Councils the evidence taken, together with such other report as they may deem necessary.

APPENDIX No. 181.

Philadelphia, September 15, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to levy and fix the rate of taxes for the year 1882, together with the statement of the City Controller of the estimated assets and liabilities of the City from August 1, 1881, to December 31, 1882 (see Appendix No. 171), and on the recommendation of the Sub-Committee, whose report is hereto appended, submit the annexed ordinance, fixing the tax rate at one dollar and ninety cents on the hundred dollars, and recommend its passage.

HENRY CLAY, *Ch'n*,	S. C. COLLINS,
CHAS. F. ISEMINGER,	DAVID WALLACE,
A. A. CATANACH,	J. DALLAS HALL,
S. S. HOLLINGSWORTH,	J. W. PATTON,
JOHN C. BICKEL,	W. S. REYBURN,
G. W. BUMM,	JAMES L. MILES,
JOHN MCCULLOUGH,	THOS. M. HAMMETT.

—

Philadelphia, September 14, 1881.

To the Chairman and Members
of the Committee on Finance.

GENTLEMEN:—Under the wise provisions of the Act of June 11, 1879, Councils are directed and obliged to fix a tax rate sufficient to defray all the expenses of the Municipal Government, and they are by the same Act prohibited from incurring any liability exceeding the income from such rate of taxation as they may approve, and the income from all sources other than from current taxes; hence the importance of a careful examination of the estimated expenses for the coming year, so that a tax rate may be agreed upon as will

fully serve and protect the varied and important interests of the City which are committed to our care.

To this important duty your Sub-Committee have faithfully applied themselves, and are of opinion that with a judicious expenditure of the public moneys on the part of the several departments, and an honest administration of the government in all its branches, that a tax rate of one dollar and ninety cents ($1.90) on the hundred dollars of valuation will be sufficient for the coming year, and they therefore report back to you, with a favorable recommendation, the ordinance fixing the tax rate at one dollar and ninety cents ($1.90), as presented.

In coming to this conclusion your Committee are not unmindful of the urgent necessity existing for permanent improvements, such as additional school-houses, main sewers, fire and police stations, extension of the water works, erection of a new county prison, and many other much-needed public improvements; but we are clearly of opinion that if proper and prompt measures are taken by Councils that the surplus revenue in the City Treasury at the close of 1880, amounting now to the sum of over $524,000, can be made available for such improvements as Councils may direct to be made. This surplus arises from the receipts from taxes and other sources over and beyond the expenditures during the year 1880, and by right ought to be entirely within the control of Councils. We have the written opinion of the City Solicitor that Councils have absolute control over this fund, but the City Controller informed your Committee that unless Councils obtained a judicial opinion indorsing the views of the City Solicitor, or additional legislation was secured, that he could not include this surplus to the benefit of the City for 1882. We therefore deem it our duty to urge upon Councils the necessity and importance of taking the necessary steps at once to secure the use of this large sum of money now lying idle in the City Treasury, so as to render it available for the urgent needs of the City for the purposes indicated above.

Your Committee held a conference with the Public Building Commission, and while they are clearly of opinion that it would be to the advantage of the City to expend every dollar asked for, yet they deem it their duty to submit to such reduction as Councils in their wisdom deem necessary.

It was agreed and understood between your Committee and the Commission that $750,000 only should be appropriated for 1882.

In making our estimates of expenses of the several departments we have increased this year's expenses over $200,000, and have placed the excess where it appeared to be most required.

Respectfully submitted,

JOHN BARDSLEY, WM. HENRY LEX,
JAS. R. GATES, W. S. REYBURN,
WM. B. IRVINE.

AN ORDINANCE

To levy and fix the rate of taxes for the year 1882.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Board of Revision of Taxes are hereby authorized and required forthwith to levy on the taxable property returned by the assessors as the assessment made in the year 1881 (except such as are marked "agricultural and farm lands" and "rural or suburban") a tax of one (1) dollar and ninety (90) cents on the hundred dollars on the assessed value thereof.

SECT. 2. The said tax to be levied for the year 1882 as one City and County tax, and is hereby voted for the following objects for the said year, viz.:

Item 1. For the relief and employment of the poor the sum of seven (7) cents.

Item 2. For the public schools the sum of twenty-two (22) cents.

Item 3. For lighting the City the sum of four (4) cents.

Item 4. For the payment of the interest on the funded debt and for the sinking fund the sum of seventy-one (71) cents.

Item 5. For the care of the public highways the sum of five (5) cents.

Item 6. For the supply of water the sum of nine (9) cents.

Item 7. For the police the sum of twenty (20) cents.

Item 8. For the care of the markets and City property the sum of three (3) cents.

Item 9. For the Department of Fire the sum of seven (7) cents.

Item 10. For the prisons the sum of two (2) cents.

Item 11. For the Department of City Commissioners the sum of nine (9) cents.

Item 12. For the Health Department the sum of five (5) cents.

Item 13. For the remaining expenses of the municipality the sum of twenty-six (26) cents.

And said amounts are hereby declared to be appropriated for said objects, subject to further direction by ordinance. And it shall be the duty of the Receiver of Taxes to cause to be printed on the tax bills the rates voted for the objects hereinbefore mentioned.

SECT. 3. On all such portions of assessed property marked "agricultural and farm land" only one half of the highest rate of tax shall be levied; and on all such portions marked "rural or suburban" only two-thirds of the highest rate of tax shall be levied; and no part of that set apart for the relief and employment of the poor shall be levied on the assessed property situate in the wards where houses for the accommodation of the poor are provided, as required by the eighteenth section of the Act of February 2, 1854.

APPENDIX No. 182.

Philadelphia, September 15, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report, that they have considered an ordinance authorizing certain transfers in the annual appropriation to the Department of Markets and City Property for the year 1881, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	J. W. PATTON,
S. C. COLLINS,	W. S. REYBURN,
CHAS. F. ISEMINGER,	G. W. BUMM,
DAVID WALLACE,	JAMES L. MILES,
A. A. CATANACH,	JOHN MCCULLOUGH,
J. DALLAS HALL,	THOS. M. HAMMETT,
S. S. HOLLINGSWORTH,	JOHN C. BICKEL.

AN ORDINANCE

Authorizing certain transfers in the annual appropriation to the Department of Markets and City Property for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the City Controller be, and he is, hereby authorized and directed to make the following transfers in the annual appropriation to the Department of Markets and City Property for the year 1881, to wit:

From Item 33, for coal, stationery, gas, repairs, and other expenses, City Morgue, three hundred (300) dollars, to Item 3, for printing blank books, stationery, advertising, etc.

From Item 6, for repairing wharves and landings, one thousand (1,000) dollars; from Item 13, for salaries of house-cleaners, and other expenses incurred in keeping public halls and urinals clean, three hundred (300) dollars; from Item 15, for cleaning cesspools, one hundred (100) dollars;

from Item 18, for paving in front of City property, one hundred (100) dollars; from Item 25, for repairs and other expenses, Spring Garden Hall, one hundred (100) dollars—making in all sixteen hundred (1,600) dollars—to Item 28, for repairs to and cleaning court rooms, offices of District Attorney, and for new furniture and repairs to the same.

From Item 32, for repairs to property owned by and used for City purposes, three hundred and twenty-five (325) dollars, to Item 38, for salary of superintendents, and other expenses of public bath houses.

APPENDIX No. 183.

Philadelphia, September 15, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to authorize certain transfers from certain appropriations to Item 13 in the annual appropriation to the Department of Police for the year 1881, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,	S. C. COLLINS,
CHAS. F. ISEMINGER,	DAVID WALLACE,
A. A. CATANACH,	J. DALLAS HALL,
J. W. PATTON,	S. S. HOLLINGSWORTH,
W. S. REYBURN,	G. W. BUMM,
JAMES L. MILES,	JOHN MCCULLOUGH,
THOS. M. HAMMETT,	JOHN C. BICKEL.

AN ORDINANCE

To authorize certain transfers from certain appropriations to Item 13 in the annual appropriation to the Department of Police for the year 1881.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be authorized and directed to make the following transfers, viz.:

One hundred and thirty-seven (137) dollars and seventy-five (75) cents from Item 3, for gas fixtures and furniture, in the ordinance to make an appropriation for alterations and addition to the police station-house, Taylor street, below Passyunk avenue, First Ward, approved July 13, 1876; three hundred and sixty-seven (367) dollars from Item 3, for gas fixtures and furniture, in the ordinance to make an appropriation for sub-police station-house, corner of Somerville avenue and Kensington and Oxford turnpike, in the Twenty-second Ward, approved July 13, 1876; one hundred and seventy-eight (178) dollars and forty-eight (48) cents from Item 3, for gas fixtures and furniture, in the ordinance to make an appropriation for alterations and additions to station-house, Trenton avenue and Dauphin street, in the Nineteenth Ward, approved November 13, 1876; twenty-nine (29) dollars and sixty-eight (68) cents from Item 3, for gas fixtures and furniture, in the ordinance to make an appropriation for alterations and additions to station-house, Twenty-third and Brown streets, Fifteenth Ward, approved November 4, 1876; six thousand eight hundred and thirty-seven (6,837) dollars and seventeen (17) cents from the ordinance to make an appropriation for the extinguishment of certain ground-rents, approved May 31, 1877—in all seven thousand five hundred and fifty (7,550) dollars and eight (8) cents—to Item 13, for repairs to station-houses, rooms and cells, etc., in the annual appropriation to the Department of Police for the year 1881.

APPENDIX No. 184.

Philadelphia, September 15, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to amend an ordinance entitled "An Ordinance to authorize the paving of Woodland avenue, from Forty-ninth street to Cobb's creek, in the Twenty-

seventh Ward," respectfully report, that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*,	J. M. VANDERSLICE,
WILLIAM R. GARDY,	CHAS. K. MERKLEE,
ALEX. REINSTINE,	CHAS. W. HENRY,
JOHN S. DAVIS,	EDW. W. PATTON,
DAVID MULLEN,	HUGH COPELAND,
FRANCIS MARTIN,	DANIEL SCHELLINGER,
HENRY GLASS,	ADAM ALBRIGHT,

JAS. EVANS.

AN ORDINANCE

To amend an ordinance entitled "An Ordinance to authorize the paving of Woodland avenue, from Forty-ninth street to Cobb's creek, in the Twenty-seventh Ward."

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the ordinance entitled "An Ordinance to authorize the grading of Woodland avenue, from Forty-ninth street to Cobb's creek, in the Twenty-seventh Ward," approved March 17, 1881, be so amended with reference to the cost of intersections that in lieu of the words "eighteen thousand," it shall read "twenty-four thousand two hundred and nine."

APPENDIX No. 185.

Philadelphia, September 15, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance authorizing the opening of Indiana street, from Second to Third street, and from Ninth street to Germantown avenue, in the Twenty-fifth Ward,

respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its adoption.

DAVID WALLACE, *Ch'n*,
CHAS. K. MERKLEE,
CHAS. W. HENRY,
EDW. W. PATTON,
FRANCIS MARTIN,
HUGH COPELAND,
ADAM ALBRIGHT,
WILLIAM R. GARDY,
ALEX. REINSTINE,
JOHN S. DAVIS,
DAVID MULLEN,
DAN'L SCHELLINGER,
HENRY GLASS,
J. M. VANDERSLICE,
JAS. EVANS.

AN ORDINANCE

To authorize the opening of Indiana street, from Second to Third street, and from Ninth street to Germantown avenue, in the Twenty-fifth Ward.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the Chief Commissioner of Highways be, and is, hereby authorized and directed to notify the owners of property over and through which Indiana street, from Second street to Third street, and from Ninth street to Germantown avenue, in the Twenty-fifth Ward, will pass, that at the expiration of three months from the date of said notice said street will be required for public use: *Provided*, The owners of property in the vicinity of said street first file a satisfactory bond with the City Solicitor, indemnifying the City against any damages on account of the opening of said street.

APPENDIX No. 186.

Philadelphia, September 15, 1881.

To the Presidents and Members of the Select and
Common Councils of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Highways, to whom was referred the ordinance to authorize Messrs. Hoopes & Townsend to lay a shaft across Buttonwood street,

east of Broad street, respectfully report that we have examined and approve the same, and submit for your consideration the annexed ordinance, and ask its passage.

DAVID WALLACE, *Ch'n*, WILLIAM R. GARDY,
CHAS. K. MERKLEE, ALEX. REINSTINE,
CHAS. W. HENRY, JOHN S. DAVIS,
EDW. W. PATTON, DAVID MULLEN,
HUGH COPELAND, FRANCIS MARTIN,
DANIEL SCHELLINGER, HENRY GLASS,
ADAM ALBRIGHT, J. M. VANDERSLICE,
JAS. EVANS.

AN ORDINANCE

To authorize Hoopes & Townsend to lay a shaft under and across Buttonwood street, east of Broad street.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That Messrs. Hoopes & Townsend be, and are, hereby authorized to lay a shaft under and across Buttonwood street, east of Broad street, connecting their works; the same to be done under the supervision of the Chief Commissioner of Highways, and without expense to the City, and to be removed at any time in like manner upon notice of said Commissioner of Highways: *Provided*, Said Hoopes & Townsend first pay into the City Treasury the sum of fifty (50) dollars, to pay for advertising this ordinance.

APPENDIX No. 187.

Philadelphia, September 15, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying applications for sewers in various sections of the City, beg leave to report that said applications were referred to the Board of Surveyors, who, after examination, approved their construc-

tion, with statement that their aggregate length will be 9,003 feet, costing to the property owners upon the lines thereof $21,427, and to the City not exceeding $2,000. We respectfully ask the passage of the ordinance herewith submitted.

S. A. Miller, *Ch'n pro tem.*,
A. A. Grace,
Geo. W. Hetrick,
Thomas Shallcross,
Dan'l W. Gilbert,
David Mullen,
Edw. W. Patton,
Daniel Schellinger,
George W. Conrad,
Charles E. Webster,
Jas. R. Gates,
William McMullen,
James L. Miles,
John G. Brooke,
Francis Martin.

AN ORDINANCE

To authorize the construction of sewers on Everett, Eighth, South, Tamarind, Tenth, Fairhill, Budd, Smedley, Venango, Dauphin, Twentieth, and Huntingdon streets, and Germantown, Park, and Girard avenues.

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the Department of Highways be, and is, hereby authorized to construct the following sewers, viz.:

On Everett street, from Twelfth to Thirteenth street; on Eighth street, from sewer in Snyder avenue to the north curb line of Jackson street; on South street, from Broad to Fifteenth street; on Tamarind street, from a point one hundred and sixty-seven feet south of Fairmount avenue, to connect with the sewer on said avenue; on Tenth street, from the sewer in Thompson street to a point sixty-five feet six inches north of Girard avenue; on Fairhill street, from the summit, two hundred and sixty feet south of Somerset street to the sewer in Indiana street; on Budd street, from a point one hundred and thirty feet north of Spring Garden street to the Haverford street sewer; on Smedley street, from a point about one hundred and fifty feet north of Tioga street to Venango street, and thence along said Venango street to the west line of Seventeenth street; on Dauphin street, from Twenty-seventh to Twenty-ninth street; on Twentieth street, from the sewer in Berks street to the north curb line of Montgomery street; on Huntingdon street, from Twenty-

fourth to Twenty-seventh street; on Germantown avenue, from a point three hundred and thirty-five feet six inches south of Montgomery street to sewer in Montgomery street; on Park avenue, from the sewer in Twentieth street to the west line of Twenty-second street; on Girard avenue, north side, from the sewer in Twelfth street to the east curb line of Thirteenth street, each with a clear inside diameter of three feet. Said sewers to be built of brick, circular in shape, and in accordance with specifications prepared by the Chief-Engineer and Surveyor.

SECT. 2. The Chief Commissioner of Highways shall advertise according to law, announcing that bids will be received for the sewers above designated, and he shall allot them to the lowest bidders; and it shall be a condition of said contract that the contractor shall accept the sums assessed upon and charged to the properties lying on the lines of said sewers in manner and form authorized by ordinance entitled "An Ordinance regulating the assessment upon property for the construction of branch culverts or drains," approved May 12, 1866, and supplement thereto, approved February 16, 1869; any excess over and above said assessment, in addition to that provided for by ordinance entitled "An Ordinance authorizing the Chief Commissioner of Highways to draw warrants for street intersections, manholes, and legal deductions in the construction of branch sewers," approved April 3, 1868, to be charged to item (for branch sewers) of annual appropriation made to the Department of Highways for the year 1881: *Provided*, Said excess does not exceed the sum of two thousand (2,000) dollars.

APPENDIX No. 188.

Philadelphia, September 15, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance, supplementary to an ordinance entitled "An Ordinance to

place upon the City plan a street upon the line of Cohocksink creek, from Laurel street to Delaware avenue," beg leave to report, that we have considered the same, and return it with a favorable recommendation.

S. A. Miller, *Ch'n pro tem.*,	Dan'l W. Gilbert,
A. A. Grace,	William McMullen,
Geo. W. Hetrick,	David Mullen,
George W. Conrad,	James L. Miles,
Thomas Shallcross,	Edw. W. Patton,
Charles E. Webster,	John G. Brooke,
Jas. R. Gates,	Daniel Schellinger,

Francis Martin.

AN ORDINANCE

Supplementary to an ordinance entitled "An Ordinance to place upon the City plan a street upon the line of Cohocksink creek, from Laurel street to Delaware avenue."

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That an ordinance approved the 18th day of March, A. D. 1878, be amended by striking out the clause, "*Provided*, The parties interested file a bond indemnifying the City against any cost therefor," and in its stead inserting the clause, "*Provided*, The parties interested shall file in the Survey Department a release to the City of Philadelphia of all claims of whatsoever nature arising out of the opening of said Cohocksink creek as a public street."

APPENDIX No. 189.

Philadelphia, September 15, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—We, your Committee on Surveys and Regulations, to whom was referred the accompanying ordinance to repeal so much of the ordinance entitled "An Ordinance to authorize the construction of sewers on Master,

Maple, and Spruce streets, and Columbia avenue, as provides for the construction of a sewer on Columbia avenue," beg leave to report that after examination we are favorably impressed that the ordinance should be passed, and herewith return the same for adoption.

S. A. Miller, *Ch'n pro tem.*,
Geo. W. Hetrick,
Charles E. Webster,
Jas. R. Gates,
William McMullen,
James L. Miles,
John G. Brooke,
A. A. Grace,
George W. Conrad,
Thomas Shallcross,
Daniel W. Gilbert,
David Mullen,
Edw. W. Patton,
Daniel Schellinger,
Francis Martin.

AN ORDINANCE

To repeal so much of the ordinance entitled "An Ordinance to authorize the construction of sewers on Master, Maple, and Spruce streets, and Columbia avenue, as provides for the construction of a sewer on Columbia avenue."

Section 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That so much of the ordinance entitled "An Ordinance to authorize the construction of sewers on Master, Maple, and Spruce streets, and Columbia avenue," approved March 22, 1880, as provides for the construction of a sewer on Columbia avenue, from Twenty-second street to Twenty-first street, be, and the same is, hereby repealed.

APPENDIX No. 190.

Pennsylvania Railroad Company.

Philadelphia, September 23, 1881.

To the Select and Common Councils
of the City of Philadelphia.

Gentlemen:—A proposition has been submitted to your honorable body, relative to an adjustment of the grades of Market street, from the bridge over the river Schuylkill westwardly, about 1,200 feet.

This change of grade will, for its entire distance, be along and in front of property lying on the north side of said street, owned and occupied by the Pennsylvania Railroad Company. It is, therefore, a matter of great interest to this company to have such change, if acted favorably upon by Councils, carried out at as early a day as possible, and to that end I am authorized to say that the Pennsylvania Railroad Company will agree to appropriate towards the cost of the construction necessary for such change of grade, the sum of forty-five thousand (45,000) dollars, to be paid into the City Treasury whenever the work shall have been completed, which sum in amount will be over sixty per cent. of the estimated cost.

The understanding being, that there shall be free communication from Thirtieth street, at Market street, to the newly adjusted grade of Market street, between the bridge and Thirtieth street.

Very respectfully,

STRICKLAND KNEASS,
Ass't to President.

APPENDIX No. 191.

DEPARTMENT OF HIGHWAYS, BRIDGES, AND SEWERS.

Philadelphia, September 27, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—I have awarded the contract for the construction of main sewer, at Oregon and Fiftieth streets, to T. P. Smart, at the price of sixty-four (64) dollars per linear foot, as per schedule of Chief-Engineer and Surveyor enclosed, and submit the same for your action.

Very respectfully,
WILLIAM BALDWIN,
Chief Commissioner of Highways.

—

OFFICE OF THE CHIEF-ENGINEER AND SURVEYOR.

Philadelphia, September 27, 1881.

To WILLIAM BALDWIN, Esq.,
Chief Commissioner of Highways.

DEAR SIR:—The following is a summary of the proposals received by you on the 21st, for the construction of sewers at Oregon and Fiftieth streets, T. P. Smart being the lowest, at sixty-four (64) dollars per lineal foot, including two well-holes.

Main Sewer at Oregon and Fiftieth streets, Twenty-fourth Ward.

Contractor.	Sewer $20\frac{1}{2}$ feet diameter.	Inspector.	Total Cash.
W. B. M. Conklin...	$97\frac{1}{10}$ lin. ft., @ $69...$6,700	$300	$7,000
T. P. Smart.....	$104\frac{7}{10}$ lin. ft., @ 64... 6,700	300	7,000

Yours, respectfully,
J. MILTON TITLOW, P. A. E.,
for Chief-Engineer and Surveyor.

APPENDIX No. 192.

Philadelphia, September 27, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to make an additional appropriation to the Board of Public Education for the year 1881, for the employment of additional teachers, and for rent of additional buildings and furniture, and submit the annexed ordinance to authorize certain transfers for the payment of additional teachers, and recommend its passage.

HENRY CLAY, *Ch'n*, JOHN MCCULLOUGH,
JOHN C. BICKEL, JOHN SHEGOG,
DAVID WALLACE, J. DALLAS HALL,
CHARLES F. ISEMINGER, WILLIAM B. IRVINE,
ADAM A. CATANACH, THOMAS M. HAMMETT,
JOHN W. PATTON, JOHN BARDSLEY,
JOHN A. HOUSEMAN.

AN ORDINANCE

To authorize transfers from certain items in the annual appropriation to the Department of City Commissioners for the year 1881, to Item 20 in the annual appropriation to the Board of Public Education for said year.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain,* That the City Controller be authorized and directed to make the following transfers from the annual appropriation to the Department of City Commissioners for the year 1881, to the annual appropriation to the Board of Public Education for same year, viz.:

From Item 19, to pay inspectors of the Eastern Penitentiary, thirty-nine hundred (3,900) dollars and forty-seven (47) cents. From Item 24, to pay assessors, four hundred and forty (440) dollars. From Item 26, to pay for printing assessors' lists of qualified electors for the year 1881, four hundred and sixty-seven (467) dollars and seventy (70) cents. From Item 27, to pay for posting assessors' lists, two hundred and three (203) dollars, in all five thousand and eleven (5,011 dollars and seventeen (17) cents, to Item 20, for employmen of additional teachers.

APPENDIX No. 193.

Philadelphia, September 27, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—The Committee on Finance respectfully report that they have considered an ordinance to approve the award of contract to Henry B. Leskie, for the erection of a fire station-house for Engine Company No. 14, and to approve the contract and surety of said Henry B. Leskie, and report the same back, and recommend its passage.

HENRY CLAY, *Ch'n*,
CHAS. F. ISEMINGER,
JOHN BARDSLEY,
W. B. IRVINE,
DAVID WALLACE,
JOHN W. PATTON,
THOS. M. HAMMETT,
JOHN MCCULLOUGH,
JOHN C. BICKEL,
JOHN A. HOUSEMAN,
A. A. CATANACH,
JOHN SHEGOG,
J. DALLAS HALL.

AN ORDINANCE

To approve the award of contract to Henry B. Leskie, for the erection of a fire station-house for Engine Company No. 14, and to approve the contract and surety of said Henry B. Leskie.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the award of contract for the erection of a new station-house for Engine Company No. 14, upon a lot on the northwest side of Frankford avenue, one hundred and thirty-six feet eight inches northeast of Sellers street; in front on Frankford avenue twenty-five feet, more or less, and in depth northwestwardly between lines parallel with said Sellers street to Franklin street, to Henry B. Leskie for the sum of ten thousand four hundred (10,400) dollars, be, and the same is, hereby approved, and the contract of said Henry B. Leskie, as prepared at the Law Department, be approved, and Michael J. Power be, and he hereby is, approved as surety on the said bond.

SECT. 2. That the City Solicitor be directed to file agreements of record restricting the lien of the judgment on the said bond, as against Henry B. Leskie, to properties No. 18 South Fifteenth street, and Nos. 831 and 833 Auburn street; and as against Michael J. Power, to properties No. 752 McKean street, No. 2005 South Eighth street, No. 1824 South Thirteenth street, No. 1631 South Front street, and a lot of ground on the north side of York street, east of Twenty-fourth street.

APPENDIX No. 194.

Philadelphia, September 27, 1881.

To the Select and Common Councils
of the City of Philadelphia.

GENTLEMEN:—Your Committee on Election Divisions, to whom was referred sundry petitions, resolutions, and ordinances to change the places of voting in the several election divisions and wards of the City of Philadelphia, hereinafter mentioned, respectfully report that they have carefully considered the same, and recommend the passage of the annexed ordinance.

CHAS. K. MERKLEE, *Ch'n*,
WILLIAM H. MILLICK,
FRANKLIN REED,
W. H. TASKER,
GEORGE W. MYERS,
JOHN G. BROOKE,
R. H. YOUNG,
DANIEL CURRIE,
LEWIS W. GOVETT,
JOHN MCCULLOUGH,
JAMES L. MILES,
M. S. BONSALL,
EDWARD W. PATTON.

AN ORDINANCE

To change and establish places of voting in the several election divisions of the City of Philadelphia.

SECTION 1. *The Select and Common Councils of the City of Philadelphia do ordain*, That the places of voting in the several election divisions of the City of Philadelphia, hereinafter mentioned, shall be changed and established as follows: First Ward, Fifth Division, to southwest corner of Third

and Borden streets; Twenty-fifth Division to northwest corner Sixth and Owen streets. Third Ward, Thirteenth Division, to the northeast corner Montcalm and Christian streets. Fourth Ward, Fifth Division, to northeast corner Third and Bainbridge streets. Eighth Ward, Fifth Division, to No. 109 South Juniper street. Ninth Ward, Eighth Division, to No. 10 North Seventeenth street; Seventh Division to No. 21 South Eighteenth street. Eleventh Ward, Second Division, to No. 231 Callowhill street; Sixth Division to No. 155 Green street. Fourteenth Ward, Nineteenth Division, to southeast corner Thirteenth and Myrtle streets. Fifteenth Ward, Twenty-fifth division, to the southeast corner Twenty-second street and Fairmount avenue. Sixteenth Ward, Fourth Division, to the northeast corner Newmarket and Laurel streets. Seventeenth Ward, Eighteenth Division, to the northeast corner Randolph and Thompson streets. Twentieth Ward, Eighth Division, to the northwest corner of Thirteenth and Davis streets. Twenty-first Ward, First Division, to the house of Simon Kent, corner Cresson and East streets. Twenty-second Ward, Fourth Division, to northwest corner Willow and Armat streets; Twelfth Division to No. 4840 Germantown avenue; Eighteenth Division to No. 5131 Germantown avenue; Nineteenth Division to No. 5253 Main street. Twenty-fourth Ward, Twenty-fifth Division, to southeast corner Forty sixth and Oregon streets; Twenty-seventh Division to No. 5162 Lancaster avenue; Twenty-eighth Division to northwest corner Fifty-fifth and Market streets; Thirtieth Division to the house of Mr. Caldwell, Fifty-fourth and Hunter streets. Twenty-eighth Ward, First Division, to northeast corner Camac street and Montgomery avenue; Sixth Division to northwest corner Tenth and York streets; Eighteenth Division to the house of Jacob Metzger, corner of Warnock and Somerset streets; Twenty-fifth Division (new) southwest corner of Twentieth and Tioga streets. Thirtieth Ward, Second Division, to the southeast corner of Sixteenth and Christian streets; Seventeenth Division to the northwest corner of Twenty-second and Catharine streets; Nineteenth Division to the northeast corner of Twenty-second and Kater streets.

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